



**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: APRIL 9, 2015

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 & Zoning Commission Notice of Public Hearing
- ITEM #2** Planning & Zoning Commission Agenda
- ITEM #3** Beaver Dam Resort Packet
- ITEM #4** Genesis Packet
- ITEM #5** Minutes

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, April 9, 2015

Regular session

Item 1

Planning & 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

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

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

DATE: APRIL 9, 2015

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 **MARCH 31, 2015**.

ITEM #1: BEAVER DAM RESORT, CLEVELAND, MN, (APPLICANT); CHARLES FENGER & BRIAN TIMM, SANBORN, MN (OWNERS): Request that the County grant a Conditional Use Permit to allow the applicant to operate a Tavern and an Off-Sale Liquor Store at an existing campground in a Recreational Commercial "RC" District on a Recreational Development "RD" lake, German Lake. Property is located in Government Lot 1, Section 5, Elysian Township.

ITEM #2: GENESIS GROWING SOLUTIONS, CLEVELAND, MN, (APPLICANT); GENESIS GROWING SOLUTIONS, CLEVELAND, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of 34,200 cubic yards of material for the construction of a containment berm, stormwater grading, & a filtration basin in an Industrial "I" District. Property is located in the W 1/2, Section 31, Lexington 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, April 9, 2015

Regular session

Item 1

Planning & Zoning Commission 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: APRIL 9, 2015

MEETING PLACE: Le Sueur County Environmental Service

Beginning Time: 7:00 P.M. **Ending Time:** Approx. 9:00 P. M.

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

AGENDA:

Meeting Called to Order

ITEM #1: BEAVER DAM RESORT, CLEVELAND, MN, (APPLICANT); CHARLES FENGER & BRIAN TIMM, SANBORN, MN (OWNERS): Request that the County grant a Conditional Use Permit to allow the applicant to operate a Tavern and an Off-Sale Liquor Store at an existing campground in a Recreational Commercial "RC" District on a Recreational Development "RD" lake, German Lake. Property is located in Government Lot 1, Section 5, Elysian Township.

ITEM #2: GENESIS GROWING SOLUTIONS, CLEVELAND, MN, (APPLICANT); GENESIS GROWING SOLUTIONS, CLEVELAND, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of 34,200 cubic yards of material for the construction of a containment berm, stormwater grading, & a filtration basin in an Industrial "I" District. Property is located in the W 1/2, Section 31, Lexington Township.

DISCUSSION; Ordinance Revision workshop

MINUTES-WARRANTS

ADJOURN

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, April 9, 2015

Regular session

Item 1

Beaver Dam Resort Packet

Staff Contact: Kathy Brockway or Michelle Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT/OWNER: BEAVER DAM RESORT, CLEVELAND, MN,
CHARLES FENGER & BRIAN TIMM, SANBORN, MN

911 ADDRESS: 46115 Beaver Dam Road, Cleveland MN 56017

PROJECT DESCRIPTION: Allow the applicant to operate a Tavern and an Off-Sale Liquor Store at an existing campground in a Recreational Commercial "RC" District on a Recreational Development "RD" lake, German Lake.

ZONING DISTRICT PURPOSE: RECREATIONAL COMMERCIAL (RC) DISTRICT, A District, adjacent to Recreational Development (RD) lakes, Natural Environment (NE) lakes, agricultural and transitional rivers and tributary streams, to provide suitable locations for, and to encourage the development of, water orientated commercial recreation facilities in those areas of Le Sueur County which benefit the recreational needs of both residents and tourists, to avoid land use conflicts with residential areas and restrict incompatible commercial and industrial uses.

DEFINITIONS:

- TAVERN - A place primarily used for the consumption of alcoholic beverages on site by the public.
- LIQUOR STORE, OFF-SALE - A structure primarily used for the sale of alcoholic beverages.

ZONING ORDINANCE SECTIONS: Section 13, Section 13.3, Section 19,

SITE INFORMATION

LOCATION: Government Lot 1, Section 5, Elysian Township, German Lake

ZONING: "RC" Recreational Commercial

GENERAL SITE DESCRIPTION: Campground

ACCESS: Existing

EXISTING LAND USE WITHIN ¼ MILE:

North: Ag Land/Wetlands
East: German Lake

South: Residential
West: Residential/Commercial/Lake Jeff

TOWNSHIP BOARD NOTIFICATION

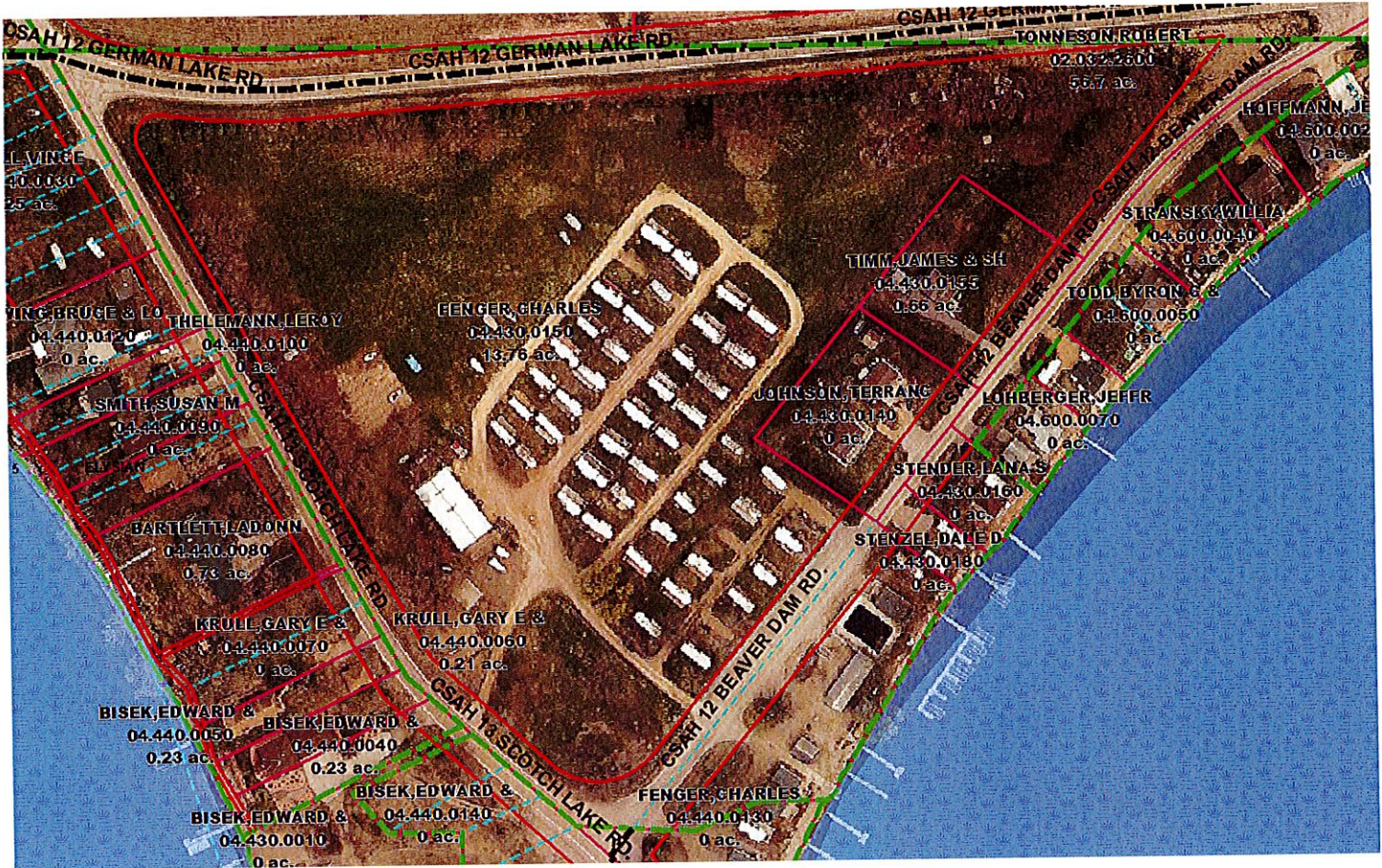
The applicant's contacted Kathy Rients, Elysian Township Officer on February 26, 2015.

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.

SITE PLAN/AERIAL PHOTO



LAND USE APPLICATION PERFORMANCE STANDARDS

- Name and Address of Applicant and Landowner: Charles Fenger and Brian Timm
- Legal Description- Attached
- Proposed Days and Hours of Operation: Year round,
- Estimated number of persons to attend place of business /location on a daily or weekly basis: 100 per day
- Water Supply: Well on site
- Solid Waste Collection: Waste Management
- Lighting: Meet County Ordinance
- Parking: Meet County Ordinance
- Signage: Meet County Ordinance
- Licensing: Meet County and State Licensing requirements.

PERFORMANCE STANDARDS- SECTION 19, LE SUEUR COUNTY ZONING ORDINANCE

OFF-SALE LIQUOR STORES AND TAVERNS

Landscaping and screening shall be constructed along the property lines when abutting a Residential zoning district

SUBDIVISION 6. LANDSCAPING AND SCREENING

- A. It is the intent of this Subdivision to provide that uses of land and structures shall be established and maintained.
- B. All required yards shall either be landscaped and green areas or be left in a natural state. If any yards are to be landscaped, they shall be landscaped to include but not limited to; lawns, trees, shrubs etc. Any areas left in a natural state shall be maintained. Where any business (structure, parking or storage) is adjacent to property zoned or developed for residential use, that business or industry shall provide screening along the boundary of the residential property. Screening shall also be provided where a business, parking lot, or industry is located across the street from a residential zone, but not on that side of a business or industry considered to be the front.

- C. All exterior storage shall be screened. The exceptions are:
 - 1. Merchandise being displayed for sale.
 - 2. Materials and equipment presently being used for construction on the premises.
- D. The screening required may consist of fences and/or landscaping. Plans of such screen shall be submitted for approval as a part of the site plan and installed prior to occupancy of any tract in the district.
- E. All junk yards, salvage yards, and open storage yards, shall be screened with buffer planting and screen fences. Plans of such screens shall be submitted for approval.
- F. Landscaping Maintenance. All structures and areas requiring landscaping and fences shall be maintained.

SUBDIVISION 7. SIGN STANDARDS

A. PURPOSE

The intent of this subdivision is to provide for necessary visual communications and to preserve and promote a pleasant physical environment within the County by regulating the type, number, size, height, lighting, maintenance, and erection of sign structures.

RECREATIONAL COMMERCIAL (RC) DISTRICT

- 1. **Ground/ Pylon Signs**
 - a. No more than one (1) sign shall be permitted per every thirty five (35) lineal feet of road frontage.
 - b. All parts of a sign shall be set back a minimum of ten (10) feet from property lines and all road right-of-ways.
 - c. The maximum height shall not exceed twenty (20) feet.
 - d. The maximum area shall not exceed one hundred (100) square feet.
- 2. **Wall Signs**
 - a. The signs shall not exceed twenty (20) percent of the wall area.
 - b. The signs shall not project above the roof level.

PARKING:

Restaurant, cafe, tavern, bar, or adult use establishment. One (1) parking space per each four (4) seats and one (1) space for each two (2) employees on the major shift.

ATTACHMENTS

Application, Legal, Narrative, Floor 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 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. **A D NA**
- 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. **A D NA**

3. The adequate utilities, access roads, drainage and other facilities have been or are being provided.
A D NA
4. The adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. A
D NA
5. The 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. A D NA

Recommend (circle one) approval / denial / table / of Conditional Use Permit.

LE SUEUR COUNTY
 CONDITIONAL USE PERMIT CRITERIA
 PERMIT # 15023- Date April 9, 2015

APPLICANTS: BEAVER DAM RESORT, CLEVELAND, MN, (APPLICANT); CHARLES FENGER & BRIAN TIMM, SANBORN, MN (OWNERS)

Conditional Use Permit Request: Request that the County grant a Conditional Use Permit to allow the applicant to operate a Tavern and an Off-Sale Liquor Store at an existing campground in a Recreational Commercial "RC" District on a Recreational Development "RD" lake, German Lake. Property is located in Government Lot 1, Section 5, Elysian Township.

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.*
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.*

	CR	AG	PT	DR	BB	JD	SO	SK	DK	DRY	TOTAL
1.											
2.											
3.											
4.											
5.											

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 main 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 Charles Fenger / Brian Timm
Mailing Address 28371 City Aug 4
City Sanborn State mn Zip 56083
Phone # 952-215-2636 Phone # 567-430-2220

II. Landowner:

Name Same
Mailing Address _____
City _____ State _____ Zip _____
Property Address 46115 Brewer dan Rd.
City Cleveland State mn Zip 56017
Phone # _____ Phone # _____

III. Parcel Information:

Parcel Number 04,430,0150 Parcel Acreage 19.75
Attach Full Legal Description (**NOT** abbreviated description from tax statement)
Township Elysian Section 5
Subdivision Auditors Sub Lot _____ Block _____

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

Elysian Township notified on 2/26/15
(Township Name) (Date)
Board Member Kathy Rinents regarding the proposed use.
(Name)

V. Quantities and Submittal Formats:

- March 10th
for April 9th*
- 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:

- | | |
|--|---|
| <input type="checkbox"/> Self Service Storage | <input type="checkbox"/> Value Added Agriculture |
| <input type="checkbox"/> School/Church/Cemetery | <input type="checkbox"/> Antique Sales/Service/Repair |
| <input type="checkbox"/> Retail Nursery/Greenhouse | <input type="checkbox"/> Substation/Transmission Lines etc. |
| <input type="checkbox"/> School/Church/Cemetery | <input checked="" type="checkbox"/> Other <u>3 2 Liquor Sales</u> |

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: year around
2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: 100 per day
3. LIST OF PUBLIC HEALTH PLANS:
 - i. Water Supply: well
 - ii. Toilet facilities: See Attachment
 - iii. Solid Waste Collection: Waste management
4. FIRE PREVENTION: Fire Extinguisher
5. SECURITY PLANS: See attachment
6. RETAIL SALES: See Attachment
7. FOOD OR ALCOHOL SERVED OR FOR SALE: See Attachment
8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (For example, pedestrian and/or vehicular traffic control.) none
9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC: Once a yr. appreciation band for Campers
10. EXTERIOR LIGHTING: See Attachment
11. PARKING AND LOADING: See Attachment required to have 8 use have 10
12. SIGNAGE: See Attachment
13. ROAD ACCESS: (Approved by the road authority) yes ~~ext.~~ ext.
14. CERTIFICATE OF INSURANCE: yes, we have appropriate insc. with Western mutual
15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: (For example additional licensing and/or permitting) See attachment

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

- | | | | |
|---------------------|-----------|-----------------------|----------------------------|
| • 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 |
- 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)

391104

LEGAL DESCRIPTION

04-430-0150
Parcel 1: All that part of Government Lot 1, Section Five (5), Township One Hundred Nine (109) North, Range Twenty-Four (24) West, Le Sueur County, Minnesota, bounded as follows: On the North by the North line of said Government Lot 1, on the East by German Lake, and on the West and South by a line described as follows: Beginning at a point on the North line of said Government Lot 1, and distant 699 feet East of the Northwest corner of said lot; thence along the center line of the public highway as follows South 29 degrees and 30 minutes East, 800 feet; thence South 49 degrees and 30 minutes East, 214 feet; thence South 87 degrees East, 130 feet; thence North 65 degrees and 24 minutes East, 75 feet; thence due East 75 feet to German Lake and containing 19.75 acres, more or less, EXCEPTING THEREFROM the following:

Exception One: Revised Lot 20 of Auditor's Subdivision of part of Government Lot 1, Section 5, Township 109, Range 24, Le Sueur County, Minnesota.

Exception Two: Revised Lot 22 of Auditor's Subdivision of part of Government Lot 1, Section 5, Township 109, Range 24, Le Sueur County, Minnesota.

Exception Three: Revised Lot 21 of Outlot Number 3 of Auditor's Subdivision of part of Government Lot 1, Section 5, Township 109, Range 24, Le Sueur County, Minnesota.

Exception Four: All that part of Outlot No. 3 of Auditor's Subdivision of part of Government Lot No. 1, Section 5, Township 109 North, Range 24 West, Le Sueur County, Minnesota, the plat of said subdivision being on file in the Office of the County Recorder of said Le Sueur County described as follows: Beginning at the Southwesterly corner of Lot Number 9 of Hoffman's Addition, the plat of said addition being on file in the Office of the County Recorder of said Le Sueur County; thence North 52 degrees 06 minutes 00 seconds West on a Northwesterly extension of the Southerly line of Lot Number 9 a distance of 31.50 feet to the centerline of County Road No. 12; thence South 40 degrees 19 minutes 00 seconds West on said road centerline 80.00 feet; thence South 49 degrees 41 minutes 00 seconds East 111.36 feet, more or less, to the water's edge of German Lake; thence Northeasterly along the water's edge of said lake to the Southerly line of Lot Number 9 of said Hoffman's Addition, said line bears South 52 degrees 06 minutes 00 seconds East of place of beginning; thence North 52 degrees 06 minutes 00 seconds West on the Southerly line of said Lot Number 9 a distance of 90.60 feet, more or less, to point of beginning. Being subject to all easements of record.

Exception Five: All of Hoffman's Addition, part of Government Lot 1, Section 5, Township 109, Range 24, Le Sueur County, Minnesota.

Said parcel, less five exceptions, contains 13.76 acres, more or less.

Parcel 2: Lot One (1), Block Four (4) of Beaver Dam, a subdivision of a part of Government Lot One (1), Section Numbered Five (5), in Township One Hundred Nine (109) North of Range Twenty-Four (24) West, Le Sueur County, State of Minnesota.

04-440-0130

We would like to sell 3-2 beverages on/off sale. We have our License from the DNR to sell bait and all the License required by the county to opperate the store and campground. We anticipate most of our business coming from the 60 campers on the campground. We have 24 seats inside the lodge, we cook pizza's, sell groceries, pop, candy, bait, tackle, shirts and ice cream. We have about 18 parking spots for customers and an area to unload delivery truck.

RECEIVED
MAR 06 2015
BY: mem

3.) ii. We have a uni-sex bathroom that is located in the Lodge. We also have a men's and women's bathroom next to the swimming pool.

5.) We have locks on all of our doors, windows and gates. We also have an alarm system with door sensors, motion sensors and video.

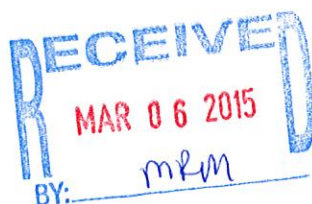
6.) We sell some light grocery items, bait, tackle, beaver dam shirts, pop, candy, ice cream, and pizza's.

7.) We would like to ^{serve} 3-2 beverages and off sale 3-2.

10.) We have four yard lights that stay on all night.

11.) We have about 18 parking spaces for vehicles and an area straight off the road for loading and unloading product.

12.) We have a sign in front of the Lodge.



Boat Landing

Laundry mat

Table

Table

Table

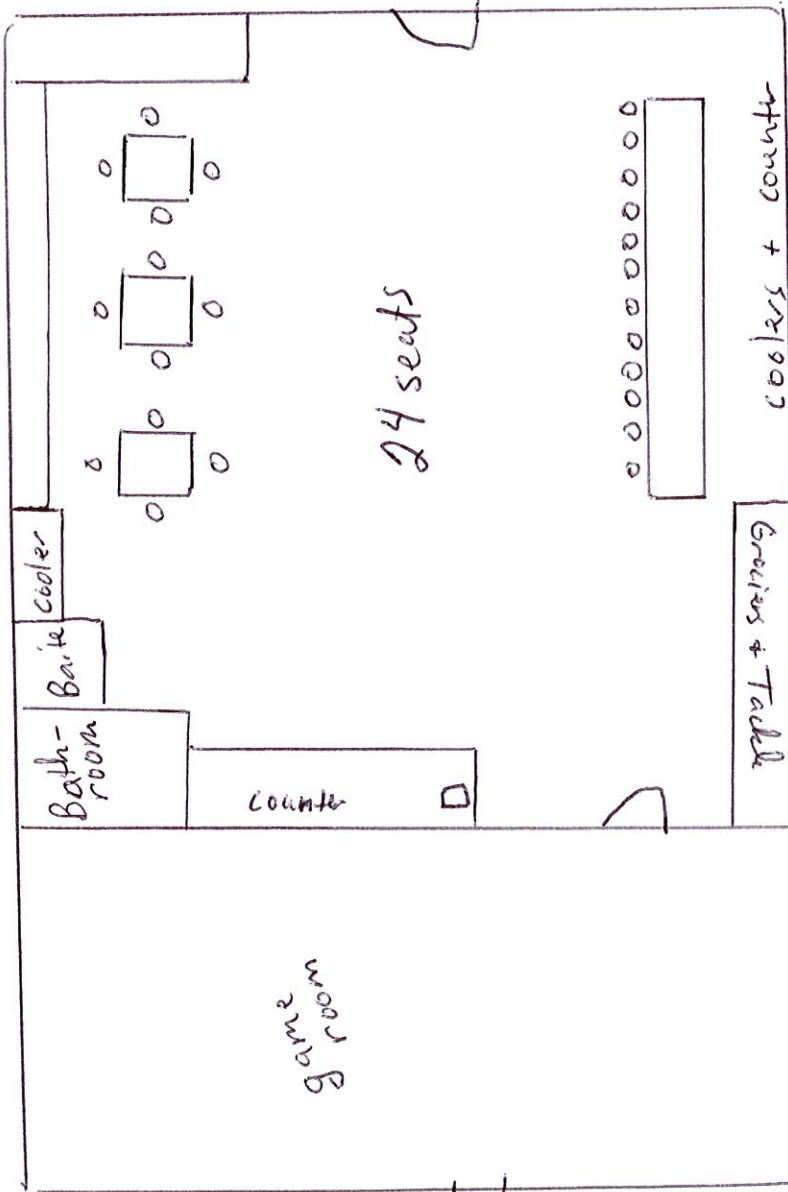
30 x 30
3 parking spots

N ↓

2 lights

Loading Area

Lake ↑



About 7 parking spots
each site is 8'1/2' x 20' deep.

30 x 70

parking

Road ↓

RECEIVED
MAR 06 2015
mfm

2 lights

1001



Le Sueur County, MN

Thursday, April 9, 2015

Regular session

Item 2

Genesis Packet

Staff Contact: Kathy Brockway or Michelle Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT/OWNER: GENESIS GROWING SOLUTIONS, LE CENTER MN

911 ADDRESS: 127 West Derrynane, Le Center MN 56057

PROJECT DESCRIPTION: Request that the County grant a Conditional Use Permit to allow grading, excavating , and filling of 34,200 cubic yards of material for the construction of a containment berm, stormwater grading, & a filtration basin in an Industrial "I" District.

PROPERTY LOCATION: W 1/2, Section 31, Lexington Township.

ZONING ORDINANCE SECTIONS: 11, 19 (Page 19-41)

>500 cubic yards outside Bluff and Impact Zones: Parcels >20 acres: Scaled site plan with 10 ft. contours depicting existing and proposed topography. As-Built upon completion. Site Plan(s) and As-Built completed by a surveyor or engineer.

The General Industry (I) District is established for areas that allows for a wide range of compact, warehousing and industrial uses closely related to existing urban areas or major transportation routes. Such industrial uses are to be governed by standards that will not impair the traffic carrying capabilities of abutting roads and highways.

SITE INFORMATION

LOCATION: 21.17 Acre parcel, Section 31, Lexington Township

ZONING: Industrial

GENERAL SITE DESCRIPTION: Existing Fertilizer Business

ACCESS: Existing access off State Highway 99

EXISTING LAND USE WITHIN ¼ MILE:

North: AG	South: AG
East: AG	West: AG

BACKGROUND INFORMATION

The property on which Genesis Cooperative Association is located is currently zoned Industrial. The applicant's are proposing to add additional bulk storage tanks and additional structures on the property. The area around the storage tanks must be surrounded by a containment area, therefore, the applicants are proposing to construct a 180 x 230' earthen basin. Approximately 32,400 cubic yards of material will be either brought onto the site or moved on site. Genesis Cooperative Association formerly the Hwy Ag business was granted a Conditional Use Permit in 1978 at this location with liquid bulk storage as part of their business operations.

TOWNSHIP BOARD NOTIFICATION

The applicant's contacted Jason Squires, Lexington Township Officer on March 16, 2015.

NATURAL RESOURCES INFORMATION

SHORELAND: The proposal is not 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. Type 1 wetland located in the Southeast corner of property.

ATTACHMENTS

Narrative, Survey, Construction Plans (pages 10-11), Grading Plans, Erosion Control Plans

PERFORMANCE STANDARDS- SECTION 19, LE SUEUR COUNTY ZONING ORDINANCE

FUEL, FERTILIZER (CONTAINERIZED OR BULK) PROCESSING AND STORAGE

1. *Comply with all EPA, Agency and Department of Agriculture regulations.*
2. Landscaping and screening shall be provided as described in this section.
3. The storage area shall be grassed or surfaced to control dust.

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 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. **A D NA**
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. **A D NA**
3. The adequate utilities, access roads, drainage and other facilities have been or are being provided. **A D NA**
4. The adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **A D NA**
5. The 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. **A D NA**

Recommend (circle one) approval / denial / table / of Conditional Use Permit.

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 Genesis Growing Solutions
Mailing Address 1273 W Derrynant
City Le Center State MN Zip 56057
Phone # 507-357-6868 Phone # 507-357-6868

II. Landowner:

Name Genesis Growing Solutions
Mailing Address 901 North 4th St
City Le Sueur State MN Zip 56058

Property Address 1273 W Derrynant
City Le Center State MN Zip 56057
Phone # 507-357-6868 Phone # 507-357-6868

III. Parcel Information:

Parcel Number 08.031.0300 Parcel Acreage 21.9
Attach Full Legal Description (**NOT** abbreviated description from tax statement)
Township Lexington Section 31
Subdivision _____ Lot _____ Block _____

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

Lexington Township notified on 3/16/15
(Township Name) (Date)
Board Member JASON SQUIRES 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.

<input type="checkbox"/> Non-Shoreland	Cubic yards of material movement: <u>34,260</u>
<input type="checkbox"/> Within Bluff Impact Zone	Cubic yards of material movement: _____
<input type="checkbox"/> Within Bluff	Cubic yards of material movement: _____
TOTAL cubic yards of material movement: <u>34,260</u>	
<input type="checkbox"/> Shoreland- Outside Shore Impact Zone	Cubic yards of material movement: _____
<input type="checkbox"/> Within Shore Impact Zone	Cubic yards of material movement: _____
<input type="checkbox"/> Within Bluff Impact Zone	Cubic yards of material movement: _____
<input type="checkbox"/> Within Bluff	Cubic yards of material movement: _____
TOTAL cubic yards of material movement: _____	

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

1. ENVIRONMENTAL IMPACT: See Attached
2. ADVERSE IMPACT ON SURROUNDING AREAS: _____
3. STORMWATER RUNOFF: _____
4. DOES ANY PART OF THE PROJECT EXTEND BELOW OHWL: _____
5. WETLAND IMPACT: _____
6. SLOPE STABILITY: _____
7. CERTIFICATE OF INSURANCE: _____
8. 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:

- **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 Distircts)*
 - 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**
- 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.

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 finings 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.



Applicant signature

3/16/15

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.



Property Owner signature

3/16/15

Date

OFFICE USE ONLY

Request: **GRADING, EXCAVATING & FILLING**

Non-Shoreland

- Within Bluff Impact Zone
- Within Bluff

Cubic yards of material movement: 34,200
 Cubic yards of material movement: _____
 Cubic yards of material movement: _____

TOTAL cubic yards of material movement: 34,200

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

TOTAL cubic yards of material movement: _____

Pre-App Date 3-16-15
 Meeting Date 4-9-15
 60 Day 5-15-15
 Zoning District I

Lake Classification _____
 Lake _____
 FEMA Panel # 27079C0 145 D
 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**

Newcoe XZ

Site Plan

Erosion Control Plan

Meeting Reg / ATF / Spec

Full Legal

Fee \$ 796-

Ordinance

Other _____

Penalty \$ _____

Application Complete Michelle R. Mottler
Planning & Zoning Department Signature

3-16-15
Date

15033
Permit #

RECEIVED
MAR 16 2015
 BY: meu

LE SUEUR COUNTY
 CONDITIONAL USE PERMIT CRITERIA
 PERMIT # 15032—April 9, 2015

ROLL CALL VOTE

Applicant: Genesis Growing Solutions

Conditional Use Permit Request: to allow grading, excavating, and filling of 34,200 cubic yards of material for the construction of a containment berm, stormwater grading, & a filtration basin in an Industrial "I" District. Property is located in the W 1/2, Section 31, Lexington Township.

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.*

	CR	AG	PT	DR	BB	JD	SO	SK	DK	DRY	TOTAL
1.											
2.											
3.											
4.											
5.											

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 maintain the goals of safety, health and the general welfare of the public.

DATE: _____ APPROVED: _____ DENIED: _____ PZ CHAIRPERSON _____

COUNTY BOARD MEETING DATE: _____

VIII. Description of Request:

- A. Operations include reconstructing gravel driveway on site and constructing a fertilizer containment berm with load out building. Also included in the site improvements is a filtration basin to treat and manage stormwater runoff from the site. All disturbed areas on the site will be seeded and stabilized to NPDES Construction Stormwater Permit Requirements. Anticipated types of equipment include: Excavators, Bull Dozers, Scrapers, and a blade for gravel tolerancing.
- B. See Below for additional discussion on various items:
1. **ENVIRONMENTAL IMPACT:** No adverse environmental impact will be created by site improvements, as site improvements are in compliance with all applicable permits.
 2. **ADVERSE IMPACT ON SURROUNDING AREAS:** All improvements will occur on Genesis Growing Solutions Property. No impact to surrounding areas/properties is anticipated.
 3. **STORMWATER RUNOFF:** Stormwater runoff is being handled per all applicable requirements. To mitigate the increase in impervious area on the site, a filtration basin will be constructed to treat and manage stormwater runoff.
 4. **DOES ANY PART OF THE PROJECT EXTEND BELOW OHWL:** No OHWL exists on site, so no part of the project extends below OHWL.
 5. **WETLAND IMPACT:** One wetland was delineated on site, which is located in the SE corner of the property. Site improvements are designed to maintain drainage patterns to the wetland and not impact the quality or type of the existing wetland. Attached is the Notice of Decision approving the wetland delineation. Contact Le Sueur County SWCD for a copy of the delineation report.
 6. **SLOPE STABILITY:** A SWPPP and erosion control plan has been developed for the project to stabilize all slopes to NPDES Construction Stormwater Permit Requirements.
 7. **CERTIFICATE OF INSURANCE:**
 8. **MEET ALL APPLICABLE COUNTY, STATE & FEDERAL REGULATIONS:** Site improvements are designed to meet all applicable county, state & federal regulations.



Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit (LGU) Le Sueur SWCD	Address 181 W. Minnesota Street Le Center, Mn 56057
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1. PROJECT INFORMATION

Applicant Name Genesis Growing Solutions Chris Baker	Project Name Genesis Growing Solutions Facility Expansion	Date of Application 9/11/2014	Application Number 3-14
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

<input checked="" type="checkbox"/> Wetland Boundary or Type	<input type="checkbox"/> No-Loss	<input type="checkbox"/> Exemption	<input type="checkbox"/> Sequencing
<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Banking Plan		


Technical Evaluation Panel Findings and Recommendation (if any):

<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Approve with conditions	<input type="checkbox"/> Deny
Summary (or attach): 		

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: 10/2/2014		
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Approved with conditions (include below)	<input type="checkbox"/> Denied

LGU Findings and Conclusions (attach additional sheets as necessary):

The application is approved as is.


For Replacement Plans using credits from the State Wetland Bank:


Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)
----------------	-------------------	--------	---

Replacement Plan Approval Conditions. In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

- Financial Assurance:** For project-specific replacement that is not in-advance, a financial assurance specified by the LGU must be submitted to the LGU in accordance with MN Rule 8420.0522, Subp. 9 (List amount and type in LGU Findings).
- Deed Recording:** For project-specific replacement, evidence must be provided to the LGU that the BWSR "Declaration of Restrictions and Covenants" and "Consent to Replacement Wetland" forms have been filed with the county recorder's office in which the replacement wetland is located.
- Credit Withdrawal:** For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.

Wetlands may not be impacted until all applicable conditions have been met!

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.		
Name Michael Schultz	Title Le Sueur SWCD District Technician	
Signature 	Date 10/2/14	Phone Number and E-mail 507-357-4879 x3 michael.schultz@mn.nacdn.net

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT.

Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

Applicants proceed at their own risk if work authorized by this decision is started before the time period for appeal (30 days) has expired. If this decision is reversed or revised under appeal, the applicant may be responsible for restoring or replacing all wetland impacts.

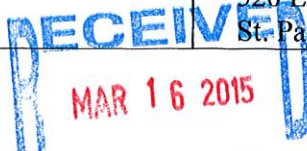
This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

<input type="checkbox"/> Appeal of an LGU staff decision. Send petition and \$ _____ fee (if applicable) to:	<input type="checkbox"/> Appeal of LGU governing body decision. Send petition and \$500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155
--	---



4. LIST OF ADDRESSEES

<input checked="" type="checkbox"/> SWCD TEP member: Lauren Klement, Water Planner & TEP member
<input checked="" type="checkbox"/> BWSR TEP member: Jeremy Maul
<input type="checkbox"/> LGU TEP member (if different than LGU Contact):
<input checked="" type="checkbox"/> DNR TEP member: Garry Bennett
<input type="checkbox"/> DNR Regional Office (if different than DNR TEP member)
<input type="checkbox"/> WD or WMO (if applicable):
<input type="checkbox"/> Applicant and Landowner (if different)
<input type="checkbox"/> Members of the public who requested notice:
<input checked="" type="checkbox"/> Corps of Engineers Project Manager
<input type="checkbox"/> BWSR Wetland Bank Coordinator (wetland bank plan decisions only)

5. MAILING INFORMATION

- For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf
- For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf
- Department of Natural Resources Regional Offices:

NW Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	NE Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	Central Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	Southern Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073
---	--	---	--

For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

- For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687 or send to:

US Army Corps of Engineers
 St. Paul District, ATTN: OP-R
 180 Fifth St. East, Suite 700
 St. Paul, MN 55101-1678

- For Wetland Bank Plan applications, also send a copy of the application to:
 Minnesota Board of Water and Soil Resources
 Wetland Bank Coordinator
 520 Lafayette Road North
 St. Paul, MN 55155

6. ATTACHMENTS

In addition to the site locator map, list any other attachments: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
--





CERTIFICATE OF LIABILITY INSURANCE

HIGHAG1

OP ID: KD

DATE (MM/DD/YYYY)

03/16/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Parthenon Agency, LLC Kristina Dillon 1107 Hazeltine Blvd. Ste 400 Chaska, MN 55318	CONTACT NAME:	
	PHONE (A/C, No, Ext): 952-361-3802	FAX (A/C, No): 952-368-4600
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: National Specialty Ins Co.	
	INSURER B: Genesis Insurance Company	
	INSURER C: Lloyds of London & Atlantic	
	INSURER D: Specialty Ins. Co.	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			PIL15000002	01/01/2015	01/01/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 0 MED EXP (Any one person) \$ EXCLUDED PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Emp Ben. \$ 1,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			PIL15000002	01/01/2015	01/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED \$ RETENTION \$			YUB301128C	01/01/2015	01/01/2016	EACH OCCURRENCE \$ 7,000,000 AGGREGATE \$ 7,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E L. EACH ACCIDENT \$ E L. DISEASE - EA EMPLOYEE \$ E L. DISEASE - POLICY LIMIT \$
A	NSI - Property			PIL15000002	01/01/2015	01/01/2016	Primary 1,000,000
C	Lloyds/Atlantic			094214/001941/226714	01/01/2015	01/01/2016	Excess 149,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Proof of Insurance



This insurance is issued pursuant to the Minnesota surplus lines insurance act. The insurer is an eligible surplus lines insurer but is not otherwise licensed by the state of Minnesota. In case of insolvency, payment of claims is not guaranteed.

CERTIFICATE HOLDER	CANCELLATION
LESUEUR Le Sueur County 88 S Park Avenue Le Center, MN 56057	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Kristina Dillon</i>

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ACORD 25 (2014/01)

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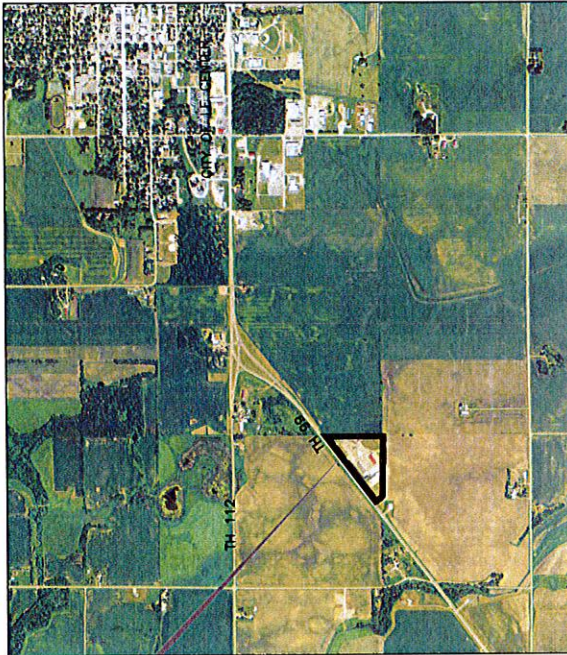
CONSTRUCTION PLANS FOR GENESIS GROWING SOLUTIONS

STORMWATER MANAGEMENT, GRAVEL DRIVEWAY, GRADING EROSION CONTROL AND STORM SEWER LE SUEUR COUNTY, MN

OCTOBER, 2014

PLAN REVISIONS	
DATE	APPROVED BY

SHEET NO.	TITLE
1	TITLE SHEET
2-3	CONSTRUCTION DETAILS
4	EXISTING CONDITIONS MAP
5	PROPOSED UTILITY LOCATIONS
6	SWPPP PROJECT LOCATION
7	SWPPP NARRATIVE
8	SWPPP SOILS MAP
9	PROPOSED CONSTRUCTION PLAN
10	EXISTING SUBSURFACE PLAN
11	SITE GRADING PLAN



PROJECT LOCATION

MAP OF
LE SUEUR COUNTY, MN



PROJECT DATUM:
HORIZONTAL: HAIN 1996 LE SUEUR COUNTY
VERTICAL: NAVD 1988

BOLTON & MENK, INC.
Consulting Engineers & Surveyors
WILLIAM, MN, CANSA, MN, MARSH, MN, MAPLEWOOD, MN
BARTER, MN, ROCHESTER, MN, AMES, IA, SPRUCE, IA

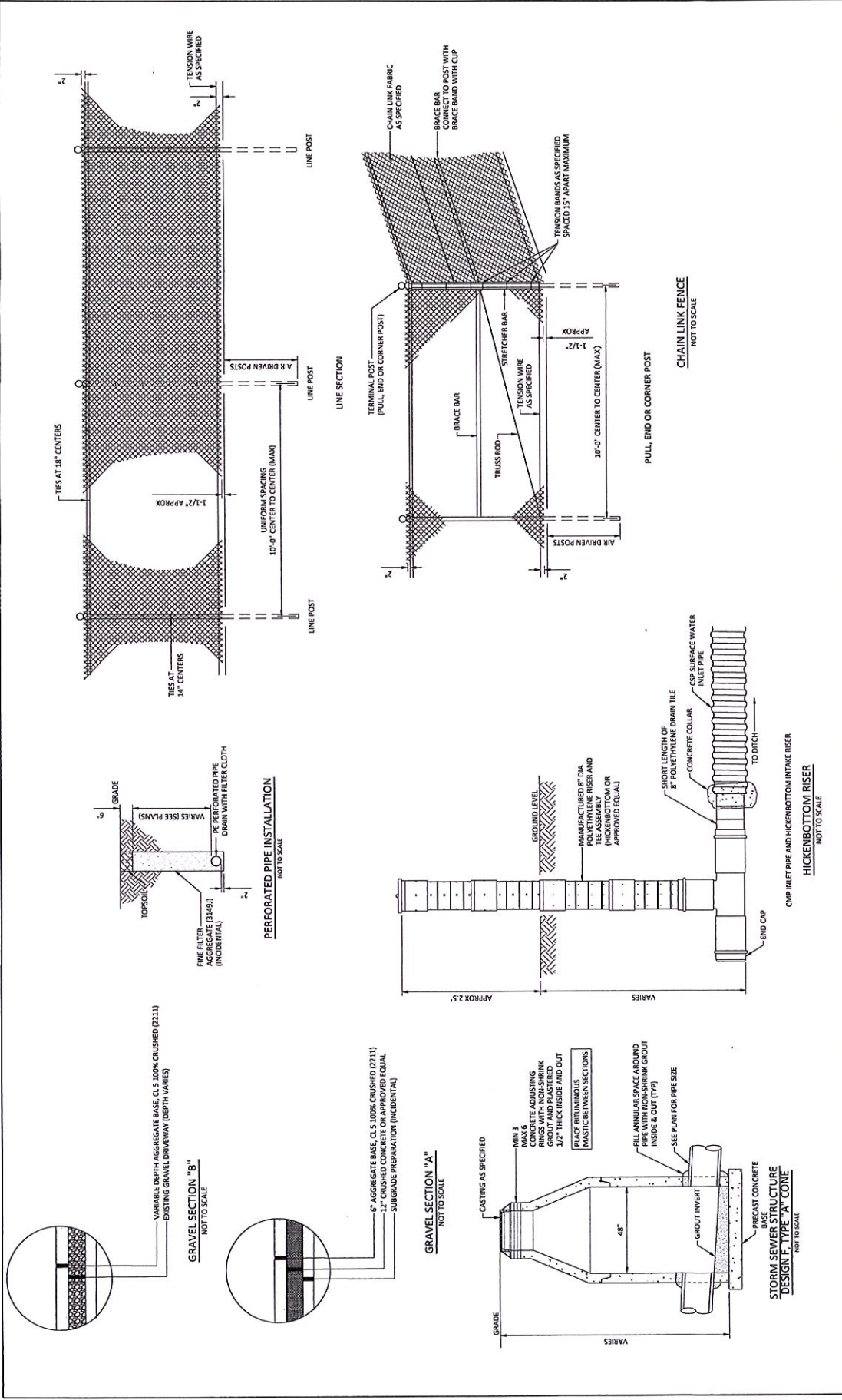
NOTE: EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY Gopher State One Call, 1-800-252-1166 OR 651-454-0002.

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL. THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE FIELD SURVEY AND RECORDING OF EXISTING SUBSURFACE UTILITY DATA.

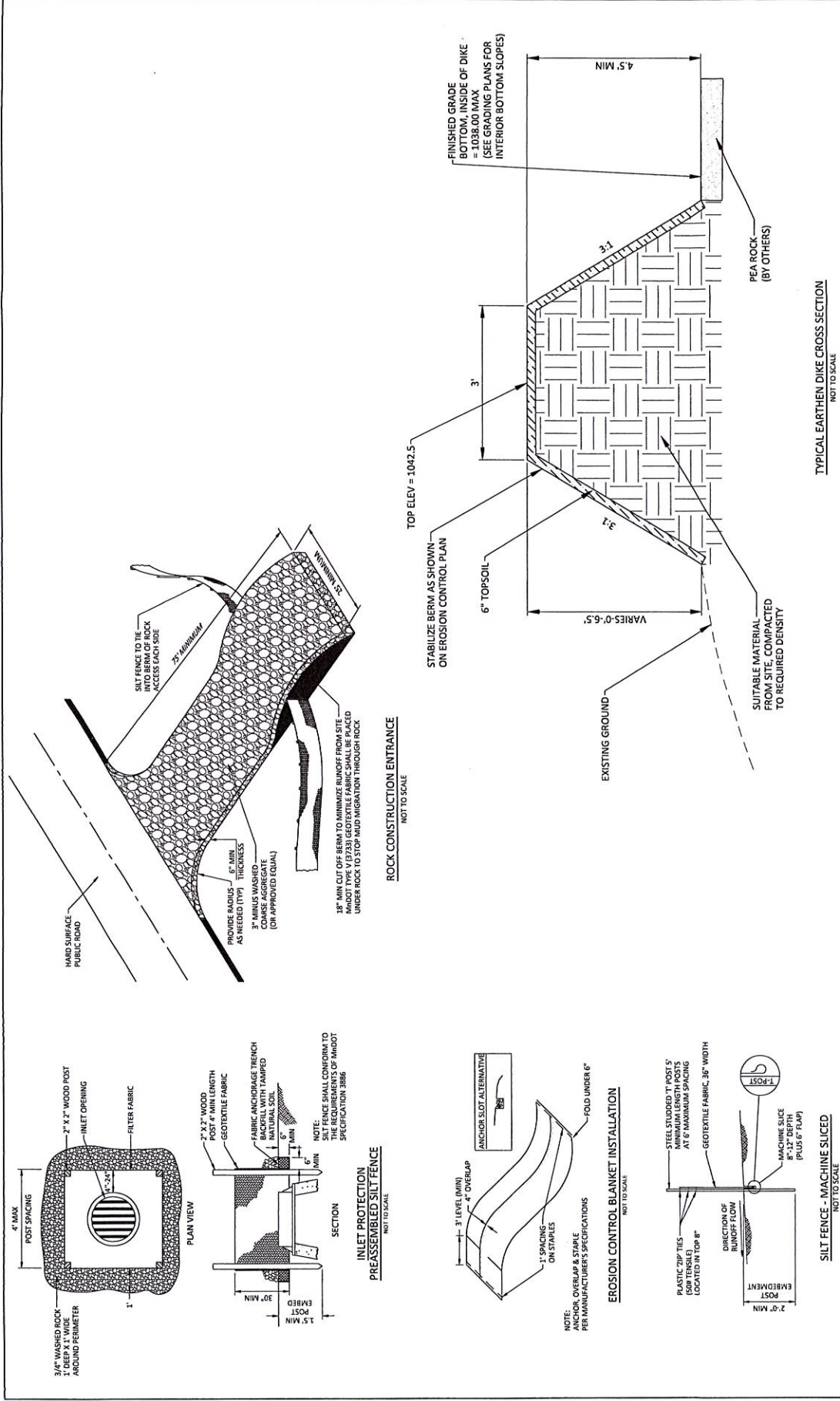
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR SURVEYOR IN THE STATE OF MINNESOTA.

William E. Douglas
WILLIAM E. DOUGLAS
U.S. NO. 18340 DATE: 10-31-2014

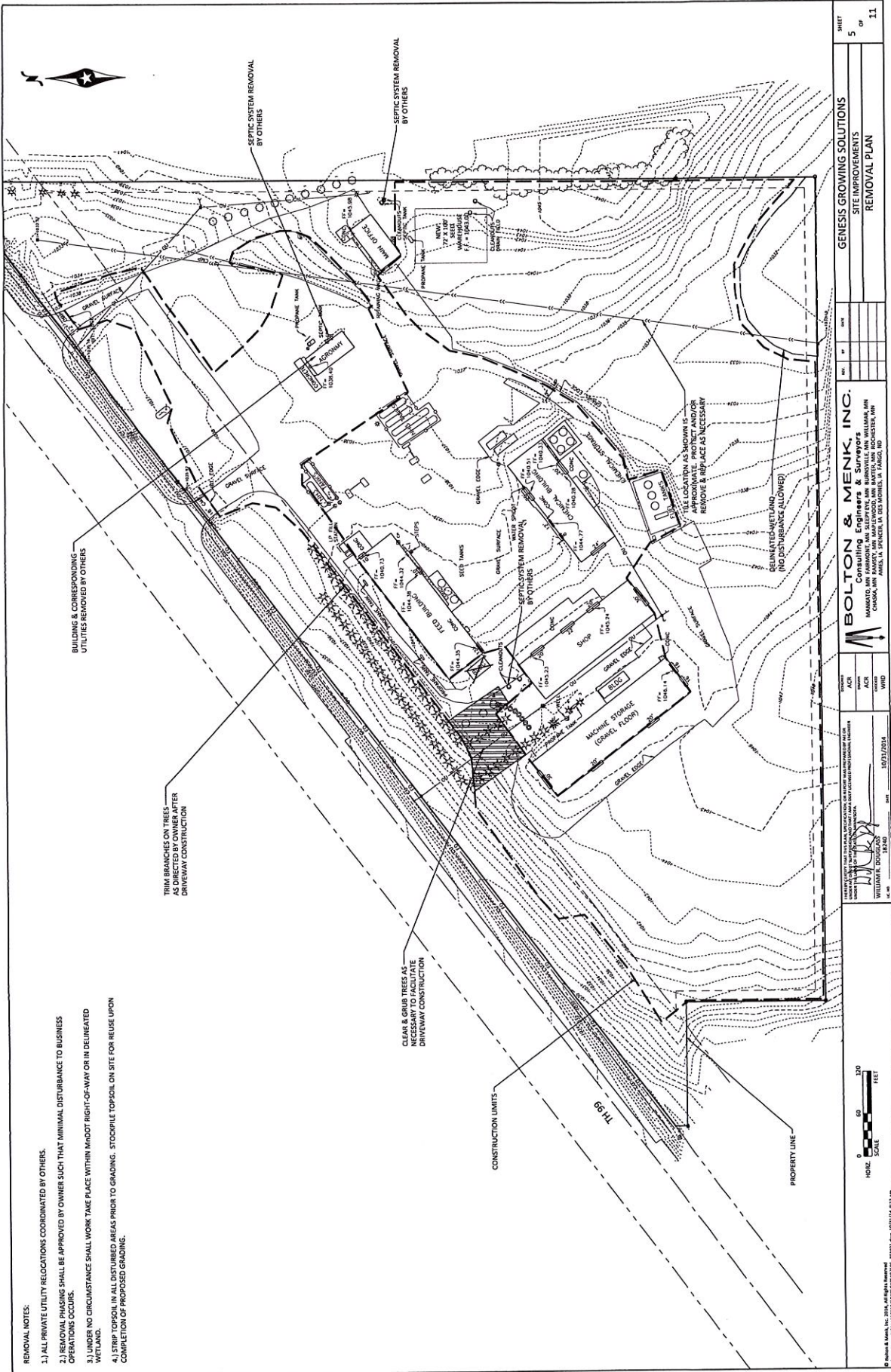
GENESIS SITE IMPROVEMENTS	
PROJECT NO.	LE SUEUR COUNTY, MN
SHEET NO.	1
OF	11
TITLE SHEET	



SHEET		2		OF		11	
GENESIS GROWING SOLUTIONS				SITE IMPROVEMENTS			
DETAILS							
BOLTON & MENK, INC. Consulting Engineers & Surveyors 1000 W. FARMWAY, 100 SLEEPING LANE, BIRMINGHAM, AL 35202 1000 W. FARMWAY, 100 SLEEPING LANE, BIRMINGHAM, AL 35202 1000 W. FARMWAY, 100 SLEEPING LANE, BIRMINGHAM, AL 35202							
DATE	BY	CHKD	APP'D	DATE	BY	CHKD	APP'D
				10/17/2014			
PROJECT: GENESIS GROWING SOLUTIONS (2014) 1000 W. FARMWAY, 100 SLEEPING LANE, BIRMINGHAM, AL 35202 DRAWING NO.: 1000 W. FARMWAY, 100 SLEEPING LANE, BIRMINGHAM, AL 35202 WILLIAM H. COOPER, P.E.							
NOTE: DETAILS ARE NOT TO SCALE							
© Bolton & Menk, Inc. 2014. All Rights Reserved. 1000 W. FARMWAY, 100 SLEEPING LANE, BIRMINGHAM, AL 35202							



GENESIS GROWING SOLUTIONS SITE IMPROVEMENTS DETAILS		SHEET 3 OF 11
BOLTON & MENK, INC. Consulting Engineers & Surveyors 1000 W. WISCONSIN ST. SUITE 200 CHICAGO, ILL. 60606 TEL: 312.467.1000 FAX: 312.467.1001 WWW.BOLTONANDMENK.COM		
PROJECT NO. 109172014	DATE 1/24/14	DRAWN BY JLD
CHECKED BY JLD	SCALE AS SHOWN	PROJECT 109172014
NOTE: DETAILS ARE NOT TO SCALE		



- REMOVAL NOTES:
- 1.) ALL PRIVATE UTILITY RELOCATIONS COORDINATED BY OTHERS.
 - 2.) REMOVAL PHASING SHALL BE APPROVED BY OWNER SUCH THAT MINIMAL DISTURBANCE TO BUSINESS OPERATIONS OCCURS.
 - 3.) UNDER NO CIRCUMSTANCE SHALL WORK TAKE PLACE WITHIN MWDOT RIGHT-OF-WAY OR IN DELINEATED WETLAND.
 - 4.) STRIP TOPSOIL IN ALL DISTURBED AREAS PRIOR TO GRADING. STOCKPILE TOPSOIL ON SITE FOR REUSE UPON COMPLETION OF PROPOSED GRADING.

GENESIS GROWING SOLUTIONS SITE IMPROVEMENTS REMOVAL PLAN		SHEET 5 OF 11
BOLTON & MENK, INC. Consulting Engineers & Surveyors 1000 W. MARKET STREET, SUITE 200 CAMDEN, MISSISSIPPI 39145 PHONE: 601.368.1111 FAX: 601.368.1112 WWW.BOLTONANDMENK.COM		DATE: 10/31/2014 DRAWN BY: [Name] CHECKED BY: [Name] PROJECT NO.: 14-001

STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SITE IMPROVEMENTS GENESIS GROWING SOLUTIONS LE SUEUR COUNTY, MINNESOTA

LE SUEUR COUNTY, MINNESOTA



RESPONSIBLE PARTIES:
The Contractor and Owner must apply for coverage under the MPCA's General Storm Water Permit for Construction Activity as required by the National Pollutant Discharge Elimination System (NPDES) Phase II program. Coverage under the permit will begin on the date of permit issuance and will expire on the expiration date of the permit application. Longer term permits apply to sites that disturb areas greater than 50 acres.

OWNER:	COMPANY:	CONTACT PERSON:	PHONE:
GENESIS GROWING SOLUTIONS	Bolton & Menk, Inc.	CHRIS BAKER	507-357-2245
SWPPP DESIGNER:		WILLIAM DOUGLASS	507-625-4771
CONTRACTOR:			
SITE MANAGER:			
PARTY RESPONSIBLE FOR LONG TERM O&M:	GENESIS GROWING SOLUTIONS	CHRIS BAKER	507-357-2245

Individuals listed above, including the SWPPP preparer, individual overseeing implementation of, revising, and amending the SWPPP, individuals performing or supervising the installation, maintenance and repair of BMPs, must be trained. At least one individual must be trained in the use of the National Stormwater Pollution Prevention Manual (NSPPM) and the SWPPP documentation showing training commensurate with the job duties and responsibilities is required to be included in the SWPPP prior to any work beginning on the site. Copies of the SWPPP preparer information is included in the Project Manual. The Contractor shall provide information for the individual(s) overseeing implementation, supervising installation, maintenance, and O&M of the Project Manual prior to the start of construction. This information shall be kept up to date until the project is closed.

Documentation shall include:
 a. Dates of training, names of instructor(s) and entity providing training.
 b. Content of training course or workshop including the number of hours trained.
 c. As an alternative to a, b, and c listed above, a photocopy of a current Erosion and Stormwater Management card issued by the University of Minnesota can be attached to the SWPPP as suitable documentation of training.

SPECIAL ENVIRONMENTAL CONSIDERATIONS:

Does any portion of this project or any part of a common plan of development or sale that includes all or any portion of this project?	NO
Does any portion of the site have the potential to affect threatened or endangered species or their critical habitat?	NO
Does any portion of the site discharge to a Culeareous fen and the letter of approval from the DNR is located in the Project Manual.	NO
Will any portion of the site potentially affect properties listed on the National Register of Historic Places or a known or discovered archeological site?	NO
Have any Karst features been identified in the project vicinity?	NO
Is compliance with temporary or permanent stormwater management design requirements infeasible for this project?	NO
Has the MN DNR promulgated "work in water restrictions" for any Public Water this site discharges to during fish spawning?	NO

GENERAL STORMWATER DISCHARGE REQUIREMENTS
 All requirements listed in Part III of the Permit for the design of the permanent stormwater management system and discharge have been included in the SWPPP and are not limited to:
 1. The nature of stormwater runoff and run-on at the site
 2. The nature of stormwater frequency, intensity, and duration of precipitation.
 3. Peak flow rates and stormwater volumes to minimize erosion at outlets and downstream channel and stream bank erosion.
 4. The range of soil particle sizes expected to be present on the site.

- LEGEND**
- PROJECT BOUNDARY
 - IMPAIRED, SPECIAL OR PROTECTED WATERS
 - NATIONAL WETLANDS INVENTORY
 - RIVERS & STREAMS

PROJECT AREAS:
 Total Project Size (disturbed area) = 11.9 ACRES
 Existing area of impervious surface = 3.4 ACRES
 Post construction area of impervious surface = 5.9 ACRES
 Total new impervious surface area created = 2.5 ACRES

Planned Construction Start Date: 10/31/2014
 Estimated Construction Completion Date: 07/31/2015

PERMANENT STORMWATER MANAGEMENT SYSTEM:
 Type of storm water management used if more than 1 acre of new impervious surface is created:

X	Wet Sedimentation Basin	Required
	Retention Pond	Not Required
	Permeable Storm Water Management	Not Required

PROJECT LOCATION:	COUNTY:	TOWNSHIP:	RANGE:	SECTION:	LATITUDE:	LONGITUDE:
LE SUEUR	LE SUEUR	111	24	31	44.37813	-93.759

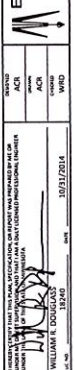
BMP	QUANTITY	UNIT
SILT FENCE, MACHINE SUCED	2500	LIN FT
CATEGORY 1 EROSION CONTROL, BURNET	4000	SY
STABILIZED CONSTRUCTION DIRT	1	EA
INLET PROTECTION	7	EA
MUDOT SEED MIX # 32-261	35	LB
MUDOT TYPE 1 MULCH	960	LB
MUDOT TYPE 1 FERTILIZER	2500	LB
RANDOM RIPRAP, CLASS 1 WITH GEOTEXTILE	11.2	TON
SEEDING	106	CY
	6.4	AC

DESCRIPTION OF CONSTRUCTION ACTIVITIES AND STORMWATER MANAGEMENT:
 Construction activities include: Site grading, filtration basin construction, temporary erosion and sediment control, and permanent stabilization.

Grading and final surfacing is taking place such that a filtration basin is needed to treat the required 1" water quality volume. An impervious area to the newly created impervious is being routed to the filtration basin prior to discharging off-site. Drainage patterns leaving the site remain largely unchanged.

DOCUMENTATION:
 The following documentation will be retained for a period of not less than 3-years from the date of submittal of the NOT in compliance with Part III of the Permit.

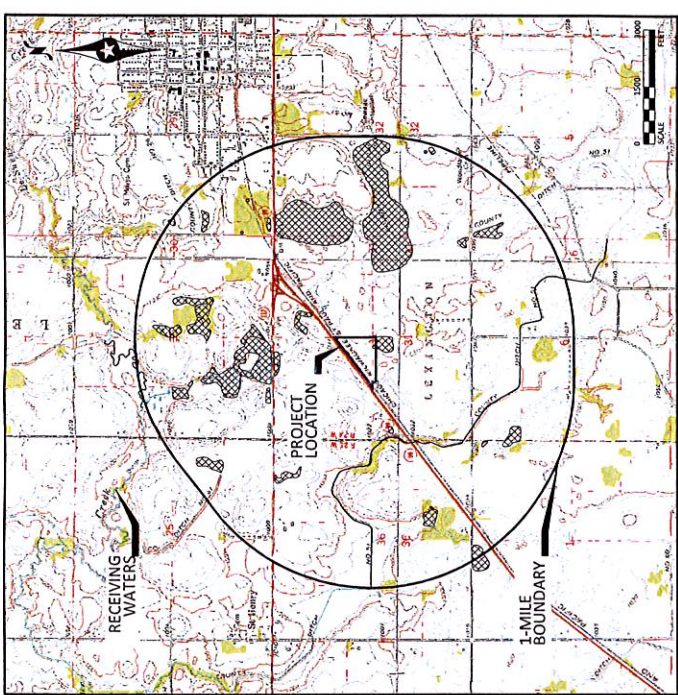
- The final SWPPP
- Records of all stormwater related permits required for the project
- Records of all inspection and maintenance conducted during construction
- Copies of all permanent operation and maintenance agreements, including all right-of-way, contracts, covenants and other binding requirements regarding permanent stormwater management BMPs.
- Records of all stormwater management BMPs.



WILLIAM DOUGLASS
 PROJECT MANAGER
 DATE: 10/31/2014



BOLTON & MENK, INC.
 Consulting Engineers & Surveyors
 10000 UNIVERSITY AVENUE, SUITE 100
 CHASKA, MN 55343
 10000 UNIVERSITY AVENUE, SUITE 100
 WOODVILLE, MN 55125
 10000 UNIVERSITY AVENUE, SUITE 100
 WOODVILLE, MN 55125



RECEIVING WATERS:
 Receiving waters, including surface water, wetlands, public waters, and stormwater ponds, are identified on the USGS 7.5 min quad map and are shown in yellow on the map. Public waters, including Le Sueur Creek, are shown in blue. Wetlands are shown in green. Stormwater ponds are shown in brown. BMPs relative to construction activities listed in this permit for special and impaired waters have been incorporated into this plan. All special and impaired waters are shown in yellow on the map. BMPs listed for construction related waste load allocations have also been incorporated.

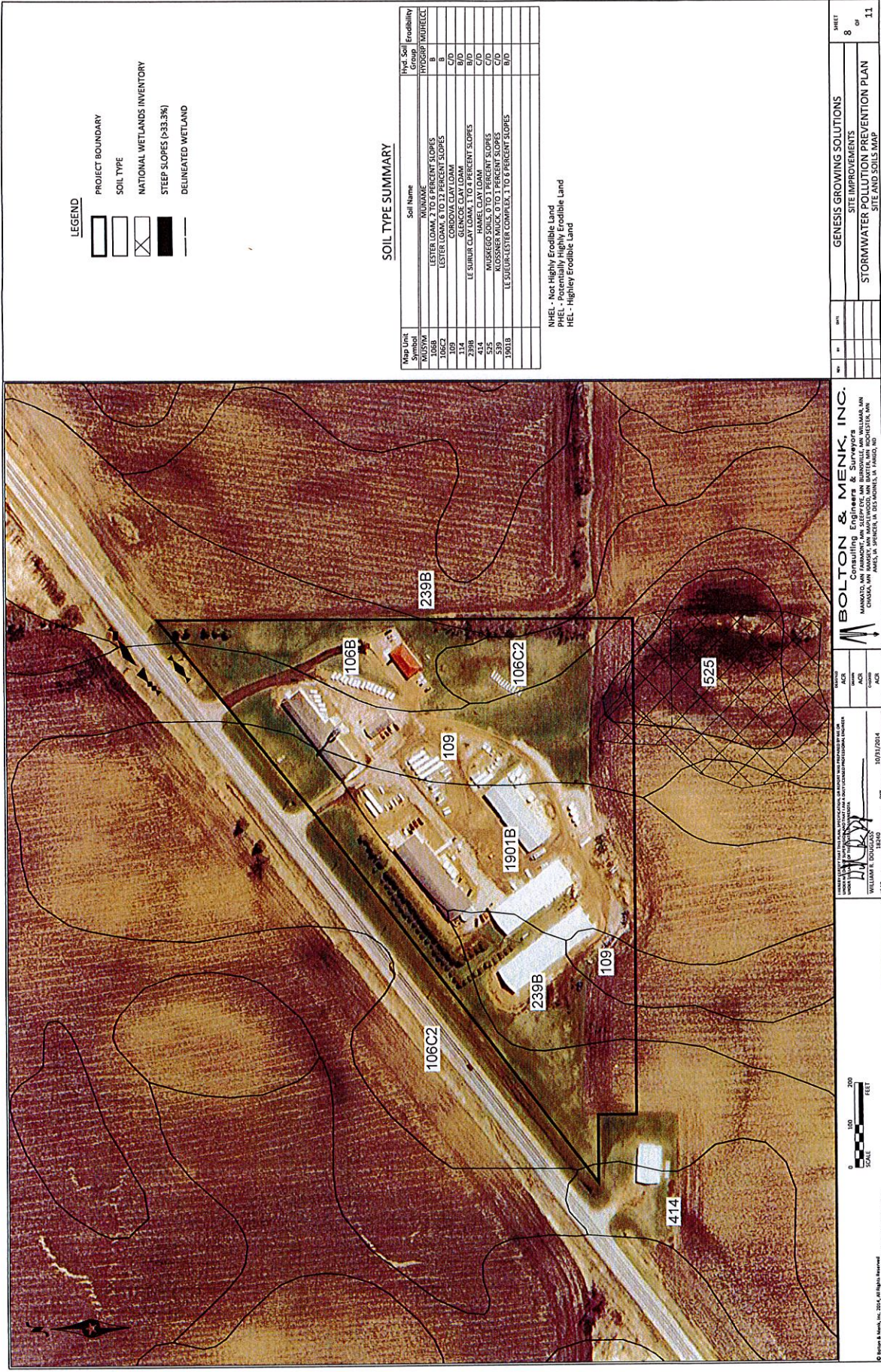
NAME OF WATER BODY	TYPE (ditch, pond, wetland, lake, etc.)	Appendix A Special Water?	Appendix B Special Water?	Flows to Impaired Water Within 1 TMDL?
LE SUEUR CREEK	CREEK	NO	NO	NO

IMPLEMENTATION SCHEDULE AND PHASING:

- Submit SWPPP Updates to Engineer. Submittal shall include any requested changes to the SWPPP, including but not limited to: Trained Personnel, Locations for Stockpiles, Concrete Washout, Sanitation Facilities, Types and Locations of Erosion & Sediment Control, Locations for Sedimentation Basins, Locations for Filtration Basins, and Locations for Stormwater Management BMPs.
- Initial permit sediment control, site protection, and construction exit.
- Construct Filtration basin that shall be used as a temporary sedimentation basin.
- Construct site grading and gravel surface.
- Install permanent filtration pipe.
- Stabilize site.
- Add additional temporary BMPs as necessary during construction based on inspection reports.
- Ensure final stabilization measures are complete.
- Submit Notice of Termination (NOT) to MPCA within 30 days of final stabilization.

NO.	DATE	DESCRIPTION
1	10/31/2014	SWPPP SUBMITTED
2	11/10/2014	PERMIT ISSUED
3	11/10/2014	CONSTRUCTION BEGAN
4	11/10/2014	CONSTRUCTION COMPLETE
5	11/10/2014	STABILIZATION COMPLETE
6	11/10/2014	NOT SUBMITTED

GENESIS GROWING SOLUTIONS	
SITE IMPROVEMENTS	
STORMWATER POLLUTION PREVENTION PLAN	
PROJECT INFORMATION AND LOCATION MAP	
SHEET	11
OF	6



LEGEND

- PROJECT BOUNDARY
- SOIL TYPE
- NATIONAL WETLANDS INVENTORY
- STEEP SLOPES (>33.3%)
- DELINEATED WETLAND

SOIL TYPE SUMMARY

Map Unit Symbol	Soil Name	Hyd. Soil Erodibility Group
106B	LESTER LOAM, 2 TO 6 PERCENT SLOPES	B
106C2	LESTER LOAM, 6 TO 12 PERCENT SLOPES	B
109	CORNOVA CLAY LOAM	C/D
114	GENESE CLAY LOAM	B/D
414	LE SUIBUR CLAY LOAM, 0 TO 1 PERCENT SLOPES	C/D
525	HAMEL CLAY LOAM	C/D
1901B	MUSKIEGO SOILS, 0 TO 1 PERCENT SLOPES	C/D
239B	KROSSNER MUCK, 0 TO 1 PERCENT SLOPES	C/D
	LE SUIBUR LESTER COMPLEX, 1 TO 6 PERCENT SLOPES	B/D

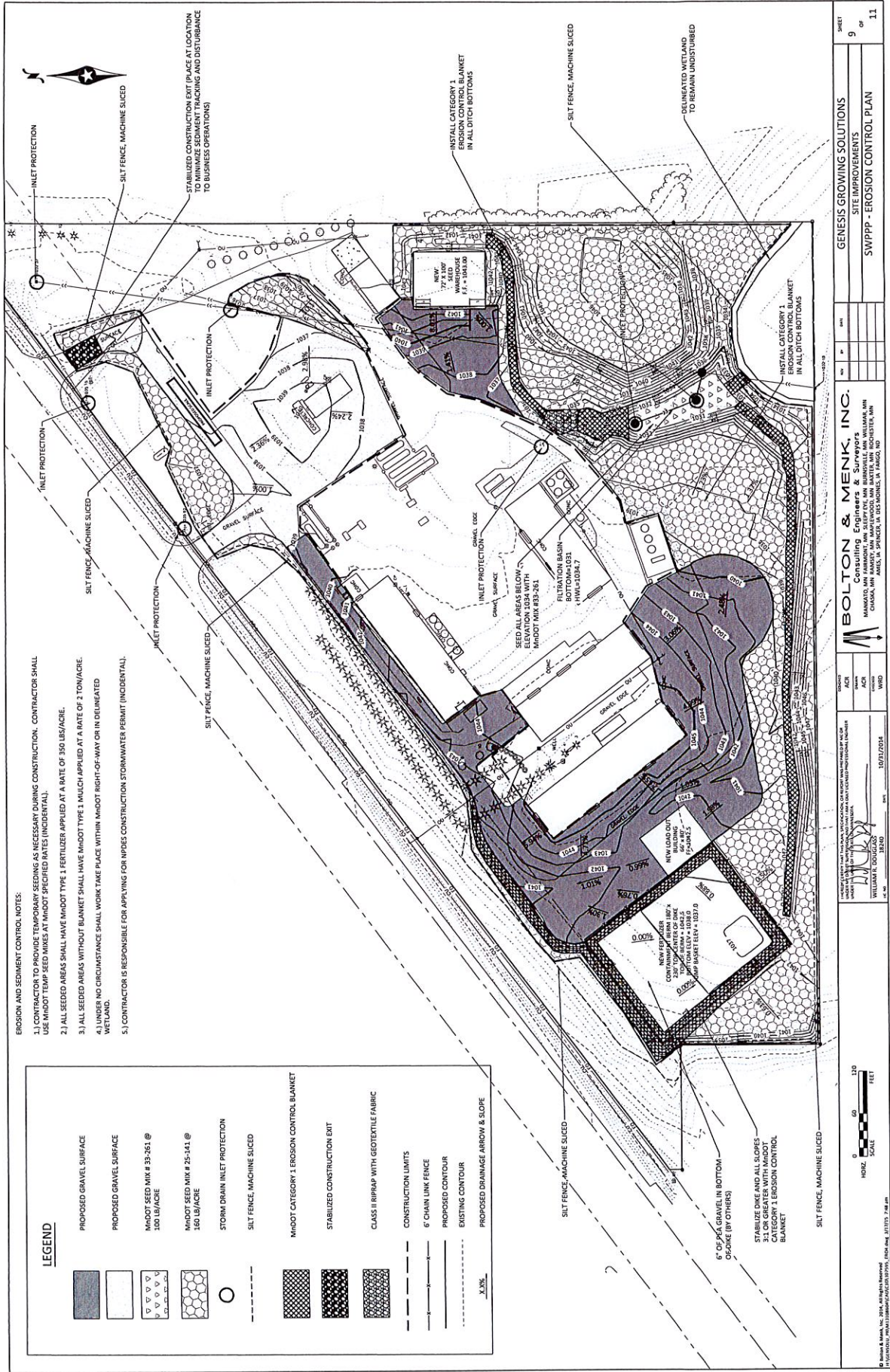
NHEL - Not Highly Erodible Land
 PHEL - Potentially Highly Erodible Land
 HEL - Highly Erodible Land

NO.	DATE	DESCRIPTION
1		GENESIS GROWING SOLUTIONS SITE IMPROVEMENTS
2		STORMWATER POLLUTION PREVENTION PLAN
3		SITE AND SOILS MAP

BOLTON & MENK, INC.
 Consulting Engineers & Surveyors
 1000 W. FARMINGTON, SUITE 200, MINNEAPOLIS, MN 55425
 1000 W. FARMINGTON, SUITE 200, MINNEAPOLIS, MN 55425
 1000 W. FARMINGTON, SUITE 200, MINNEAPOLIS, MN 55425

DATE: 10/21/2014
 SCALE: AS SHOWN
 PROJECT: GENESIS GROWING SOLUTIONS
 SHEET: 8 OF 11

0 100 200 FEET
 SCALE



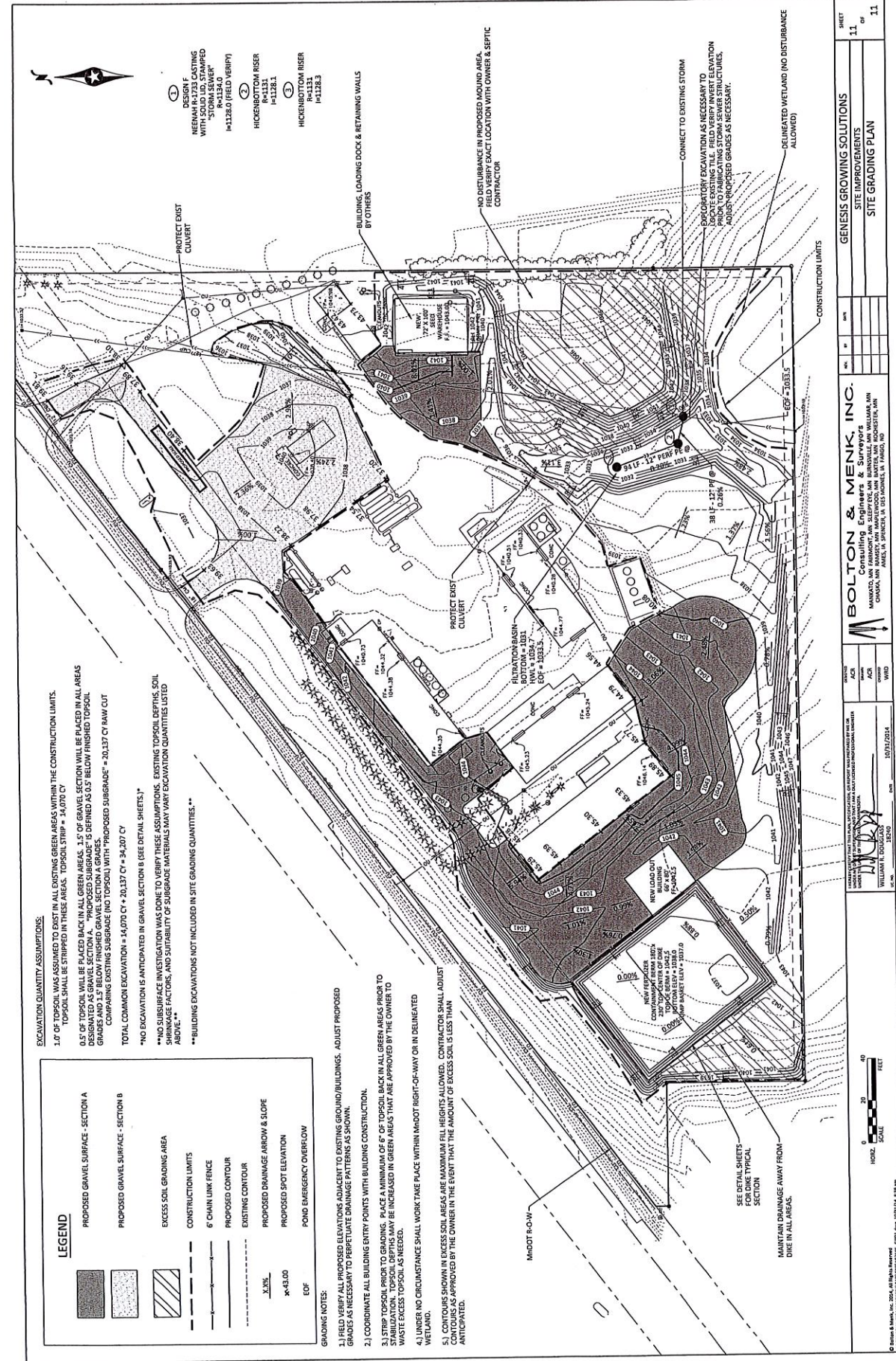
- EROSION AND SEDIMENT CONTROL NOTES:**
- 1.) CONTRACTOR TO PROVIDE TEMPORARY SEEDING AS NECESSARY DURING CONSTRUCTION. CONTRACTOR SHALL USE MMDOT TEMP SEED MIXES AT MMDOT SPECIFIED RATES (INCIDENTAL).
 - 2.) ALL SEEDING AREAS SHALL HAVE MMDOT TYPE 1 FERTILIZER APPLIED AT A RATE OF 350 LBS/ACRE.
 - 3.) ALL SEEDING AREAS WITHOUT BLANKET SHALL HAVE MMDOT TYPE 1 MULCH APPLIED AT A RATE OF 2 TON/ACRE.
 - 4.) UNDER NO CIRCUMSTANCES SHALL WORK TAKE PLACE WITHIN WHOOT RIGHT-OF-WAY OR IN DELINEATED WETLAND.
 - 5.) CONTRACTOR IS RESPONSIBLE FOR APPLYING FOR NPDES CONSTRUCTION STORMWATER PERMIT (INCIDENTAL).

LEGEND

- PROPOSED GRAVEL SURFACE
- PROPOSED GRAVEL SURFACE
- MMDOT SEED MIX # 33-261 @ 100 LB/ACRE
- MMDOT SEED MIX # 25-141 @ 150 LB/ACRE
- STORM DRAIN INLET PROTECTION
- SILT FENCE, MACHINE SLICED
- MMDOT CATEGORY 1 EROSION CONTROL BLANKET
- STABILIZED CONSTRUCTION EXIT
- CLASS II RIPRAP WITH GEOTEXTILE FABRIC
- CONSTRUCTION LIMITS
- 6" CHAIN LINK FENCE
- PROPOSED CONTOUR
- EXISTING CONTOUR
- PROPOSED DRAINAGE ARROW & SLOPE
- X.2%

BOLTON & MENK, INC.
 Consulting Engineers & Surveyors
 11000 W. 130th Street, Suite 100, Eden Prairie, MN 55324
 CHASMA, MN 55835 • FAX 952-948-1111 • WWW.BOLTONMENK.COM

PROJECT: GENESIS GROWING SOLUTIONS
 SHEET: 9 OF 11
 DATE: 10/11/2014
 SCALE: AS SHOWN



EXCAVATION QUANTITY ASSUMPTIONS:

1.0' OF TOPSOIL WAS ASSUMED TO EXIST IN ALL EXISTING GREEN AREAS WITHIN THE CONSTRUCTION LIMITS. TOPSOIL SHALL BE STRIPPED IN THIRDS AHEAD. TOPSOIL STRIP = 34,070 CY

0.5' OF TOPSOIL WILL BE PLACED BACK IN ALL GREEN AREAS. 3.5' OF GRAVEL SECTION WILL BE PLACED IN ALL AREAS DESIGNATED AS GRAVEL SECTION. GRAVEL SECTION IS DEFINED AS 0.5' BELOW FINISHED TOPSOIL GRADE AND 3.0' ABOVE FINISHED GRAVEL SECTION GRADE.

GRAVEL SECTION QUANTITIES: 30,137 CY

COMPARING EXISTING SUBGRADE (NO TOPSOIL) WITH "PROPOSED SUBGRADE" = 20,137 CY RAW CUT

TOTAL COMMON EXCAVATION = 14,070 CY + 20,137 CY = 34,207 CY

NO EXCAVATION IS ANTICIPATED IN GRAVEL SECTION B (SEE DETAIL SHEETS.)

NO SUBSURFACE INVESTIGATION WAS DONE TO VERIFY THESE ASSUMPTIONS. EXISTING TOPSOIL DEPTHS, SOIL SHRINKAGE FACTORS, AND SUITABILITY OF SUBGRADE MATERIALS MAY VARY EXCAVATION QUANTITIES LISTED ABOVE.

BUILDING EXCAVATIONS NOT INCLUDED IN SITE GRADING QUANTITIES.

LEGEND

[Pattern]	PROPOSED GRAVEL SURFACE - SECTION A
[Pattern]	PROPOSED GRAVEL SURFACE - SECTION B
[Pattern]	EXCESS SOIL GRADING AREA
[Pattern]	CONSTRUCTION LIMITS
[Pattern]	6" CHAIN LINK FENCE
[Pattern]	PROPOSED CONTOUR
[Pattern]	EXISTING CONTOUR
[Pattern]	PROPOSED DRAINAGE ARROW & SLOPE
[Pattern]	PROPOSED SPOT ELEVATION
[Pattern]	POND EMERGENCY OVERFLOW
[Pattern]	EDF

GRADING NOTES:

1.) FIELD VERIFY ALL PROPOSED ELEVATIONS ADJACENT TO EXISTING GROUND/BUILDINGS. ADJUST PROPOSED GRADINGS AS NECESSARY TO PERPETUATE DRAINAGE PATTERNS AS SHOWN.

2.) COORDINATE ALL BUILDING ENTRY POINTS WITH BUILDING CONSTRUCTION.

3.) STRIP TOPSOIL PRIOR TO GRADING. PLACE A MINIMUM OF 6" OF TOPSOIL BACK IN ALL GREEN AREAS PRIOR TO STABILIZATION. TOPSOIL DEPTHS MAY BE INCREASED IN GREEN AREAS THAT ARE APPROVED BY THE OWNER TO WASTE EXCESS TOPSOIL AS NEEDED.

4.) UNDER NO CIRCUMSTANCE SHALL WORK TAKE PLACE WITHIN MIDDOT RIGHT-OF-WAY OR IN DELINEATED WETLAND.

5.) CONTOURS SHOWN IN EXCESS SOIL AREAS ARE MAXIMUM FILL HEIGHTS ALLOWED. CONTRACTOR SHALL ADJUST CONTOURS AS APPROVED BY THE OWNER IN THE EVENT THAT THE AMOUNT OF EXCESS SOIL IS LESS THAN ANTICIPATED.

GENESIS GROWING SOLUTIONS

SITE IMPROVEMENTS

SITE GRADING PLAN

11 of 11 SHEETS

BOLTON & MENK, INC.
 Consulting Engineers & Surveyors
 1000 W. 10th Street, Suite 100
 Mankato, MN 56001
 PH: 507-635-1111
 FAX: 507-635-1112
 WWW: BOLTONMENK.COM

DATE: 10/21/2014

SCALE: 1" = 40'

PROJECT: [REDACTED]

CLIENT: [REDACTED]

DESIGNER: [REDACTED]

CHECKED: [REDACTED]

DATE: 10/21/2014



Le Sueur County, MN

Thursday, April 9, 2015

Regular session

Item 1

Minutes

Staff Contact: Kathy Brockway or Michelle Mettler

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
March 12, 2015

MEMBERS PRESENT: Jeanne Doheny, Don Rynda, Chuck Retka, Steve Olson, Doug Krenik, Al Gehrke, Pam Tietz

MEMBERS ABSENT: Don Reak, Shirley Katzenmeyer, Betty Bruzek

OTHERS PRESENT: Kathy Brockway, Commissioner Connolly

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

ITEM #1: JESSE & TAMMY SAMUELSON, CLEVELAND, MN, (APPLICANT/OWNER):
Request that the County grant a Conditional Use Permit to allow the applicant to establish and operate an off-sale liquor store in a Recreational Commercial "RC" District on a Recreational Development "RD" lake, Lake Jefferson. Property is located in Government Lot 1, Section 3, Cleveland Township.

Kathy Brockway presented power point presentation. Applicants were present for the application.

TOWNSHIP: notification per application process by applicant. DNR: see file LETTERS: DNR letter

PUBLIC COMMENT: no comments

Discussion was held regarding: discussed history of parcel, restaurant at one time, security, lighting, parking, restroom facilities, additional cabins on site are used for personal storage, propane tanks, applicants live on site, open year round, hours of operation as stated in application, licensing.

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.*
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 Doug Krenik to approve the application as written. Seconded by Al Gehrke. Motion approved. Motion carried.

ITEM #2: TIM & CHRISTINE TUPY, NEW PRAGUE, MN, (APPLICANT/OWNER):
Request that the County grant a Conditional Use Permit to allow the applicant to transfer the development right from the NE 1/4 SW 1/4 to the SW 1/4 NW 1/4 in an Agriculture "A" District. Property is located in the W 1/2, Section 23, Lanesburgh Township.

Kathy Brockway presented power point presentation. Tim Tupy was present for application.

TOWNSHIP: notified the township per application process. DNR: N/A LETTERS: N/A

PUBLIC COMMENT: no comments

Discussion was held regarding: transferring the development right from one quarter quarter to another contiguous quarter quarter, both parcels have buildable area, exempt from project completion in 1 year for Conditional Use Permits, length of driveway, site is closer to the road, 7.5 acre building site, putting the 23+ acre parcel into a conservation program, documents are recorded against both the sending and receiving property..

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 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 Steve Olson to approve the application as written. Reason for approval/denial: Seconded by Pam Tietz. Motion approved. Motion carried.

ITEM #3: LAKE WASHINGTON IMPROVEMENT ASSOCIATION, (APPLICANT); KEVIN CLINTON, COLLETTE BIEHN KRENIK, MARTHA WEISGRAN (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating and filling of 3,408 cubic yards of material for the reconstruction of a sediment pond in an Agriculture "A" District. Property is located in the N 1/2 SW 1/4, Section 9, Washington Township.

Kathy Brockway presented power point presentation. Chantel Kahler Royer was present for application.

TOWNSHIP: Notification by the applicant during the application process. DNR: N/A LETTERS: N/A

PUBLIC COMMENT: Pam Olson, President of Lake Washington Association- clarified questions from the planning commission.

Discussion was held regarding: project has been in the works for several years, Clinton property approximately 2,530 cy of material for the pond, drainage way, and rock weeper, the Krenik property is approximately 878 cy of material for the drainage way and berm, approved cost share project with the County, time line, rock weeper-filter, man-made ponds, goal of ponds is to have water flowing through them and are not stagnant, re-route the drainage flow, maintenance of the pond, periodic maintenance of the pond will be necessary in order to ensure the ponds continue timeline, early summer or late fall, 6" tile line will be fixed and outlet to the pond.

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 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 Chuck Retka to approve the application with the condition; that an on-going agreement between the Lake Association and Landowners is in place for the maintenance of the ponds. Seconded by Pam Tietz. Motion approved. Motion carried.

Motion was made by Al Gehrke to approve the minutes from the February 12, 2015 meeting. Seconded by Steve Olson. Motion approved. Motion carried.

Motion to adjourn meeting by Pam Tietz. Seconded by Don Rynda. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Kathy Brockway
Acting Secretary for
Shirley Katzenmeyer

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

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
April 9, 2015

MEMBERS PRESENT: Don Reak, Jeanne Doheny, Don Rynda, Shirley Katzenmeyer, Steve Olson, Doug Krenik, Al Gehrke, Betty Bruzek, Pam Tietz

MEMBERS ABSENT: Chuck Retka

OTHERS PRESENT: Kathy Brockway, Commissioners

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

ITEM #1: BEAVER DAM RESORT, CLEVELAND, MN, (APPLICANT); CHARLES FENGER & BRIAN TIMM, SANBORN, MN (OWNERS): Request that the County grant a Conditional Use Permit to allow the applicant to operate a Tavern and an Off-Sale Liquor Store at an existing campground in a Recreational Commercial "RC" District on a Recreational Development "RD" lake, German Lake. Property is located in Government Lot 1, Section 5, Elysian Township.

Kathy Brockway presented power point presentation. Chuck Fenger and Brian Timm were present for application.

TOWNSHIP: Notified the township per the application process. DNR: No Comments
LETTERS: none.

PUBLIC COMMENT: Tom Christianson, landowner in the area, supports the application, will be a great asset to area. Ed Bisek, former landowner, bar/store has been part of the campground for over 65 years, supports the application.

Discussion was held regarding: 3/2 products to be sold, no patio area, several picnic tables, adequate parking, quiet hours for the campground, normal hours per licensing requirements.

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 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 written. Seconded by Don Rynda. Motion approved. Motion carried.

ITEM #2: GENESIS GROWING SOLUTIONS, CLEVELAND, MN, (APPLICANT); GENESIS GROWING SOLUTIONS, CLEVELAND, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of 34,200 cubic yards of material for the construction of a containment berm, stormwater grading, & a filtration basin in an Industrial "I" District. Property is located in the W 1/2, Section 31, Lexington Township.

Kathy Brockway presented power point presentation Joe Spinler and Chris Baker were present for application.

TOWNSHIP: George Whipps, Lexington Township Board, township has no objections to the proposal.

CITY OF LE CENTER: Chris Collins, City Clerk/Administrator, City has no objections to the proposal.

DNR: N/A **LETTERS:** none

PUBLIC COMMENT: no comments

Discussion was held regarding: Improvement to the site by adding the stormwater ponds, drainage, Dept. of Ag requirements, gravel hauled in, all other material will be moved within the site, well and septic on site, 2 approved accesses from the State, business has be in operation at this location since the 70's.

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 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 written. Seconded by Al Gehrke. Motion approved. Motion carried.

Motion was made by Al Gehrke to approve the minutes from the March 12, 2014 meeting by Seconded by Steve Olson. Motion approved. Motion carried.

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

Meeting Adjourned.

Respectfully submitted,
Shirley Katzenmeyer
Kathy Brockway

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