RICE COUNTY PLANNING COMMISSION

Commissioner's Room / Government Services Bldg. / Thursday, May 25, 2023 at 6:30 PM

AGENDA

Immediately following the Board of Adjustment meeting.

I. Call to Order

A. Roll Call

B. Reading of Notice

C. Approval of Agenda

D. Approval of Minutes - Regular Meeting - May 4, 2023

II. New Business

1. **Conditional Use Permit/Lindenfelser- Section 34, Tll2N, R19W, Northfield Township** Nick Lindenfelser, on behalf of landowner Paul and M Lindenfelser Trust, has applied for an amendment to an existing Conditional Use Permit for an Agricultural repair and fabrication shop. The property is described as: Part of the NWl/4 of the NWl/4, Section 34, Northfield Township, Rice County, Minnesota. PID#: 04.34.2.25.001. The property address is: 10075 Stanton Blvd, Northfield, MN 55057. The property is Zoned A, Agricultural.

2. **Final Plat/Johnson - Section 8, Wells Township**
Colin Johnson has applied for a final plat to create three building lots. The property is described as: Part of Government Lot 3 in the NEl/4, Section 8, Wells Township, Rice County, Minnesota. PID#: 10.08.1.50.002. The property is Zoned RDS, Recreational Development Shoreland.

3. **Waiver of Plat/Schwartz - Section 30, Morristown Township**
Corey Schwartz, on behalf of landowner Vincent Schwartz et al, has applied for a Waiver of Plat to create a building lot through the use of a Transfer Development Right. The property is described as: Part of the NWl/4 of the SWl/4, Section 30, Morristown Township, Rice County, Minnesota. PID#: 13.30.3.25.001. The property is Zoned A, Agricultural.

4. **Conditional Use Permit/Lynch- Section 26, Webster Township**
Gary Lynch, on behalf of landowner Gary Lynch Trust, has applied for a Conditional Use Permit for a Liquefied Petroleum (Propane) Gas Distribution Service business. The property is described as: Part of the NEl/4 of the SWl/4, Section 26, Webster Township, Rice County, Minnesota. PID#: 02.26.3.00.002. The property is Zoned A, Agricultural.

5. **Waiver of Plat/Olson - Section 5, Wheatland Township**
Hunter Olson, on behalf of landowners Kevin and Rita Olson, has applied for a Waiver of Plat to create a new building site through the use of a Transfer Development Right. The property is described as: Part of the SWl/4 of the NWl/4, Section 5, Wheatland Township, Rice County, Minnesota. PID#: 01.05.2.50.001. The property is Zoned A, Agricultural.

6. **Waiver of Plat/Pineur - Section 23, Shieldsville Township**
Gregory Pineur has applied for a Waiver of Plat to create a building lot through the use of a Transfer Development Right. The property is described as: Part of the NW1/4 of the NE1/4, Section 23, Shieldsville Township, Rice County, Minnesota. PID#: 09.23.1.25.004. The property is Zoned A, Agricultural.

III. Adjournment

<u>Planning Commission Hearing Procedure:</u>

The Chair calls the item to be heard and planning staff to present the staff report and answer questions from the members. The Chair asks the applicant to present their information and answer questions of the members. Chair then opens the meeting to the public. Each speaker will have a set number of minutes to present their information. They must come to the speaker stand and state their name and address before presenting their comments. After the public comments, the Planning Commission publicly discusses the information and reviews the findings before making a motion to recommend approval, denial or to continue the item.

All issues that require County Board approval will be heard at the June 13, 2023 meeting.

Remote access for the public includes the following:

Access by computer: Register using the following link:
https://us02web.zoom.us/j/83465977389?pwd=U2VSM081L2RGcXBmNHA2UGRVdWtUQT09

Access by phone:
Please call: (507) 332-6030 or toll free options – (877)853-5247, (888)788-0099, (833)548-0276, (833)548-0282

Meeting ID: 834 6597 7389 **Passcode: 305088**

Anyone wishing to attend virtually or participate in this public meeting that is in need of assistance, please call the County's Environmental Services Office at 507.332.6113 or e-mail RCPlanningZoning@co.rice.mn.us. Please call 24 hours before the meeting, if possible, if assistance is needed.

Please note, by attending remotely, you are accepting the risk of technical difficulties that may prevent from viewing or participating in the meeting. The County is not liable or responsible for ensuring your ability to attend and/or participate in the meeting remotely. If this is a concern, please attend the meeting in person

OFFICIAL PROCEEDINGS OF THE
RICE COUNTY PLANNING COMMISSION
Commissioner's Room / Government Services Building
Thursday, May 4, 2023 at 6:30 PM

I. Call to Order

A. Roll Call

The meeting was called to order both in-person and electronically by Chair Charlie Peters at 7:37 p.m.

Members present were: Charlie Peters, Michael Streiff, Julia Hogan, Matt Purfeerst.
Members absent were: Garrett Johnson

Staff present were: Director Julie Runkel (*via Zoom*), Zoning Administrator Trent McCorkell, Planner Jeremy Edwards, Administrative Coordinator Anna Aguilar, Clerk Laurie Johnson, Clerk Cassy Klumb.

Commissioners present: Steve Underdahl.

Others present: see Sign-in Sheet and Registrant List.

B. **Motion by Michael Streiff, seconded by Julia Hogan, Reading of the Notice**
RESULT: Approved, AYES: Charlie Peters, Michael Streiff, Julia Hogan, Matt Purfeerst, NAYS: None

C. **Motion by Matt Purfeerst, seconded by Michael Streiff, Approval of the Agenda**
RESULT: Approved, AYES: Charlie Peters, Michael Streiff, Julia Hogan, Matt Purfeerst, NAYS: None

D. **Motion by Julia Hogan, seconded by Michael Streiff, to approve the minutes of April 6, 2023.**
RESULT: Approved, AYES: Charlie Peters, Michael Streiff, Julia Hogan, Matt Purfeerst, NAYS: None

II. New Business

1. **Conditional Use Permit/Coulsey (Stricker) - Section 33, Cannon City Township**
Robin Coulsey, on behalf of landowners DJ and Jessica Stricker, has changes to an existing Conditional Use Permit for a dog kennel business. Requested changes are to increase boarded dogs from 48 to 68 and to add a dog training building. The property is described as: Part of the SE1/4 of the SE1/4, Section 33, Cannon City Township, Rice County, Minnesota. The property address is: 3839 Kenyon Blvd, Faribault, MN 55021. PID #: 11.33.4.75.003. The property is Zoned UR, Urban Reserve.
Motion by Matt Purfeerst, seconded by Julia Hogan, to recommend approval of the Conditional Use Permit with the following conditions and findings for Coulsey (Stricker). The property is located in Section 33 of Cannon City Township.
RESULT: Approved, AYES: Michael Streiff, Julia Hogan, Matt Purfeerst, NAYS: Charlie Peters

CONDITIONS OF APPROVAL – Coulsey (Stricker) – Conditional Use Permit (CUP)

1. The Conditional Use Permit is for a dog boarding and training facility to include up to 68 boarded dogs, 12 impounded dogs and training for 20-dogs.
2. Applicant is to follow the approved site plan. Changes to the business are not permitted without approval of a new/amended Conditional Use Permit.
3. Dogs shall not be allowed outside of the enclosed building between 9:00 PM and 6:30 AM.
4. No animal breeding is to be allowed at the facility.
5. All animal kennels shall have proper drainage and waste controls.
6. Indoor facilities having adequate heating, ventilation and lighting shall be provided for all animals. Outdoor facilities shall have adequate shelter from all elements.
7. Each large adult animal shall be provided with a separate fenced run of at least 36-sqft.
8. All outdoor areas shall be at least 100-ft from all property lines unless said area has been

approved by the Rice County Board of Adjustment as part of an approved variance. No areas within 300-ft of the Straight River shall be utilized as part of the Conditional Use.

9. Facilities shall be inspected at least once per year at the owners' expense by a doctor of veterinary medicine who shall report to the County describing the condition of the animals and facility, medical treatment required by the animals, any remedial actions necessary to improve the condition of the facility.
10. The applicant is to follow all Federal, State, County and Local rules and regulations.
11. All animal waste is to be properly disposed of.
12. Access to the site from Highway 60 must receive approval from MNDOT and any improvements required by MNDOT shall be completed at the expense of the facility owner/operator.
13. A certificate of survey verifying setback distances shall be submitted prior to any construction or modifications.
14. A septic system compliance inspection shall be completed by September 1, 2023. If any system is found to not be in compliance a compliant system shall be installed by the earlier of any building permit issuance or June 1 ,2024.
15. Approved site and building plans shall be followed.
16. All buildings shall meet building code for the intended use.
17. All vehicles, equipment and trailers stored/parked outside shall be operable and have a current license. There shall be no outside storage of inoperable equipment or waste materials.
18. Failure to comply with the conditions of the Conditional Use Permit may result in revocation of the Conditional Use Permit.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).
TM - As I mentioned previously with the Variance request, there were a couple items brought up, noteworthy ones, that should get asked of the applicant. The first is with the animal waste disposal, and what is actually done with that? I did not see that within their application request. The other would be with concerns about a truck repair business that appears to be operating on the property that is not currently permitted at this point. And the concerns with the noise and sound at different various hours.
JH - What is the noise ordinance within the code?
TM - The County Ordinance itself does not specify a decibel level. It defaults to saying that you must meet State regulations for that.
MS - Is it possible to show where the closest neighbor is?
TM - You can see the site to the north, there is the auto body shop to the left. There is a home over on this parcel, right to the North edge, and then there is a shared driveway over in that area.
MS - The new dog training facility is going to be closer to the road and not at the main facility?
TM - On the site plan it is about half way between the current facility and the house onsite.
JH - Which building was that potentially non-permitted use located in?
TM - So the concerns were raised with a truck repair business operating onsite, whether that's in the new building, that's a question for the applicant.

The PC asked the applicant, Jessica Stricker (JS), to come forward to add comments or answer questions regarding the request.
JS - Essentially, I have a little bit of background information that I think is going to be relevant to the changes and the Conditional Use Permit. I have been the owner of Muddy Paws resort for 18 years. It was previously known as Camp K9 Kennels. We have operated under the current location for approximately 3 years, coming up in June. I currently employ 47 employees and I have a client list of just over 4,000 families in our community. So it definitely is a need we are meeting. I tell you this because I think it is relevant to understand why we are asking the board for these particular changes in our Conditional Use Permit. So as far as the changes go, the first would be to extend those roof lines. We saw the Northeast and Northwest corners of our current building. The main reason for this is to actually help with the neighbors and the fact that we have been working with and trying to find different

ways to mitigate the noise, knowing that we don't want to be a nuisance to other people in our area. So, by extending our roof lines, that is an area that we allow the dogs out to relieve themselves, so extending the roof lines should allow us to absorb sound, as well as allowing the dogs to be outdoors but not in an open space. It should mitigate noise by installing the appropriate roof line and help with keeping the noise level down. We have made lots of policy and procedure changes to help decrease some of the noise. 3 years ago, when we moved, it was all about getting used to a new place and trying to figure out how we do this. How do we move dogs from point A to point B? And I think we have come a long way in that process and this is one more step that we want to take. The second change that we are potentially looking to make is adding that additional shed. That was going to be 100 feet by 60 feet for potentially a training center. The concept for that would be, that it is better designed to help training clients having a facility away from the main resort. As you can imagine, it is a very busy environment, so training needs more of a calm, relaxed environment. So, by creating another building off the resort, it will allow us to #1, serve those clients, but #2, would be another indoor space where we could keep dogs indoors, instead of having them outdoors. Right now, for example, we might have a training dog that is boarding with us and we are training them outside, so the more options that we have for indoors is going to be also helpful. The third change on the CUP allows our boarding number to increase from 48 to 68. Essentially, our current CUP is old. It was created in 2006 and it included things that are obsolete and no longer relevant. So, things like we could board horses and cats are both things we decided not to be part of. So we are looking to increase our numbers, mainly because the facility can definitely withstand that. There is a community need for it, we have waiting lists every weekend with people trying to get in. Simply increasing it just a little bit would be beneficial to a lot of people. It wouldn't change anything in regards to the noise or anything like that if that is what is being voiced as the main concern. Mainly because those boarding dogs are housed inside and they are put outside on a rotating basis, so it doesn't change the decibel level if that was a concern. One more change on the CUP would be item #7. If you have that in front of you, would be something I propose to scratch. It lists that each large adult animal shall be provided with a separate fenced run of at least 36 sqft. I propose scratching it mainly because it is ambiguous. I think it may have been referring to horses, which was part of the old CUP. In regards to a separate fenced run, I don't know if they mean indoor or outdoor, creating little tiny spaces to put dogs in, little kennels would only generate more noise and we don't want to have that. If it was an indoor space, I don't know what they mean by large animal or whether that is referring to a 50 or 100 pound dog. It simply states that the animal must be able to stand up, turn around, and lay down comfortably. Our suites are approximately 5 x 8, so they are obsolete, but I think that that particular item is ambiguous and can just be striked from the CUP.

CP - Can you answer the animal waste concern?

JS - For animal waste, we have a tank that gets pumped out whenever it needs to be. It is inspected every 3 years and is due for its inspection this summer which has been scheduled. We get inspected by the State to also make sure we are appropriately dealing with waste. We currently bag it and dispose of it that way. Currently, the State of Minnesota says we have a very well-managed, immaculate facility. The report says that everything is secure and clean and where it is supposed to be as far as dealing with animal waste. We do have cattle that are relatively close to us which may be the cause of the smell. Not our cattle but within a quarter mile of us.

MP - With that expansion, would that septic system or tank be adequate size?

JS - Yes.

CP - Question #2 was about a truck repair business onsite?

JS - My husband runs an onsite diesel repair business called *Streamline On-Site Repair*. He has three service trucks that are parked on our property, but he does all of the work off site. He leaves our property and drives to the location, for example where a truck is stranded on the side of the road. His equipment and tools that he uses are stored on our property. That's what the new garage on the property was built to be used for.

MP - On the training facility proposed, is it going to have separate runs or will that be all enclosed?

JS - The building itself would be all enclosed, then it would need outdoor fencing because those dogs also need an area to relieve themselves.

MP - That's where you're also proposing to put the sound abatement as well?

JS - Yes, because the roof would have an overhang that we could apply that too.

MS - Some of the complaints that have been raised are around noise. What would you attribute that to today, and do you think these changes would bring the complaints down, if you're adding more dogs?

JS - Absolutely, the main noise comes when dogs first arrive. When they first arrive they are excited, nervous all of those things. We immediately give them a chance to relieve themselves and our protocol

is to remove them from that area within 2 minutes of arrival. We have got that system down knowing that barking is a concern. On a heavy intake day about 7:15a, which is what the complaints are referring to, we have a lot of dogs incoming right away in the morning, so as soon as the dogs are inside that noise is mitigated and we have made the efforts to do that. The new covered area is where we do let them out, so that should mitigate this noise .
MS - So early morning you are receiving multiple animals?
JS - Yes.
MS – So, that may be the cause of several dogs barking?
JS - Yes, we might intake 5, 6, or 7 dogs at a time, moving them through the area.
MS - So you have different dogs coming for different reasons?
JS - Yes, we may have some dogs coming for daycare, boarding, and grooming services.

Chair Peters opened the public testimony portion of the item to the public and the following spoke:
Dean Manz (DM) – read from letter submitted regarding animal waste, (*Public Comment #2 Letter).*
Joseph Rule (JR) - I live directly East of DM. The noise is a big, big, big issue. You're invited over to my house anytime to eat breakfast and you will side with me. I appreciate the phone call from Jim. Purfeerst, he understood the situation. Dave Miller called me and had a concern about it. If Dave would have known about the wildlife situation, he would have never approved this. If he had known about the noise, he wouldn't have decided on this. The noise is torture, I have visited twice to the 8 homes around the dog kennel and I asked them if you had your way and know what you have had to put up with, would you put another kennel here and out of the 8, 6 said absolutely not.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:
JH - It is an allowed use within the Urban Reserve District under a CUP. It has been standing since 2006, we are not here really to strike the CUP itself. It is an allowed use.
CP - I agree with JH, I don't think we should allow them to expand until we can see if some noise abatement can work.
JH - I mean with what they are proposing with the extension on the existing kennel, it does sound like they are trying to mitigate some of the noise with being able to let them out. They are a very busy business, I have heard from a lot of people in the County that they love bringing their dogs there. I think it's a great business within Rice County and I understand the noise is an issue, but these businesses are always going to be an issue if they have close residential properties surrounding them. But where can they be located? Essentially, again, it is an allowed use. I don't believe what they are asking as far as amendment wise is unreasonable.
MS - It seems like they are trying the adjustments and the enhancements, you would reasonably think would bring down the noise. There is probably a lot going on there in the mornings, whether it is trucks firing up to head out for some sort of diesel repair work, people bringing dogs in, I can see where early mornings there is probably a lot of noise coming through there. I don't know if the facility and the new enhancements and being kind of more aware that the noise needs to be amended. I think it is probably hard to do the additional changes without more dogs from a cost standpoint.
MP - I wish there was a way to tell if the noise abatement she is proposing would actually change the noise. It is so hard to know if that would affect it or not.
JH - It is hard to measure.
MP - That's where I liked the idea of the completely enclosed training facility. She explained it pretty well that the additions to the Northeast and overhead structure. I'm not a sound expert. Does sound travel up or does it travel out? It sounds like they are very aware of the situation. I don't know if a fence, trees or a grove or something like that would help the situation. The property has a lot of trees so I don't know if adding trees would help.
JH - Additional screening in a way?
MP - How are we supposed to tell them how to build their facility?
JH - But you can require additional screening as a condition with approval if needed.
MS - If it's trees, they take time to grow. It's interesting that it's not every day. Sometimes more than others and we have comments in writing that say they don't have a problem with it. There is feedback on both sides.
CP - I'm personally against the expansion. Although the dog population has doubled.
JH - I think the need is there though, more people have dogs it seems since 2020. People are needing to

go back to work and in the office to work. This is a popular business, going closer to the cities area. Dakota County, Scott County, you see an increase in dog facilities and they are popular and Rice County is lacking that, so I think that need is there. I think an expansion or additional dogs isn't an unreasonable request.
MP - I'm just reading through the old permit. If we approve this there is a septic compliance which wouldn't take in effect the 47 employees, where if we accept this, it is kind of a moot point.
MS - Training facility is new, 20 additional dogs right?
CP – Yep, 48 to 68 dogs.
MP - I'm looking at #17 on the conditions, is there a way to add in an intended building use noise, adding on to that or?
MS - It would be what the State standard is basically.
JH - The County doesn't have specifics.
MP - I agree with JH, they are expanding the facilities, and I'm a believer if they can put the right facilities in place. Hopefully it would eliminate the noise a little because it is enclosed and there is some other plans in place to avoid this and not just simply adding dogs.
MS - To the applicant's point, they moved to the new facility, got used to it, and realized some of the short comings and are now proposing something that would address the issues.
MP - She did mention an issue with condition #7, TM what should we do with that?
TM - Condition #7, along with #5, #6, #8, and #10, are standard for animal facilities, this would need to be an amendment to the ordinance. The other note I just had, with the truck repair, it fits the home occupation category, so they would need to apply for a IUP on the truck repair business.
CP - Well for what we are looking at now, I would entertain, I'm against this, but if someone wants to make a motion.
SU - I appreciate people getting up and speaking, some people are for it and against it and the concerns. What is before you for you to decide is about the additional 20 dogs that would be there. Sound could be measured by decibels, but the reality is you're not going to be able to tell today vs a year from now. I understand a little bit of noise from there just aggravates them. I don't agree that it should be approved based on need, that is not a good reason for approval. If I had a recommendation, it would be to approve it conditional and not expand until some of the noise is reduced. I'm saying that with the other side of the argument and I'm trying to be conscious of the neighbors who have to listen to that. The other thing is they were there before the resort was.
TM - Just one other thought, on condition #3 and the hours, I don't know if those could be modified. I can certainly understand the morning hours in their recommendation on talking with the applicant.
CP - So you're saying 6:30a back that up farther? *Asked the applicant to come forward.*
JS - In regards to our operating hours, the CUP that we have been operating on also states the 6:30a to 9p. Our regular procedure, with our neighbors in mind, is we don't let them out until 7a for that extra half hour in the morning. At night, our turn in time is 7p, sometimes 8p if we are hosting a class, some dogs may go out to relieve themselves after the class. We have no problem with trying all these different ideas, hence changing the roof line or installing a sound proof fence. I think this is something to mitigate and how we can help with the noise.
MS - Are most the dogs outside all day or part of the day?
JS - It depends on the weather of course, if we have a nice day those relief times are going to be a little bit longer. The entire staff is trained on noise, we all wear radios and if anyone has a barking dog near them, we intervene. Try distraction like throwing the ball or they are rotated back inside, that kind of thing. They are outside for relief but not for 8 hours or unattended.
MS - What's been your awareness on the sound issues? Have people reached out to you and said hey I'm a neighbor and the noise is driving me crazy?
JS - Both of these gentleman here I'm familiar with, the first summer, when we were first making mistakes, is when we first meet them. Hence, why we definitely made some changes right away procedurally, this isn't working lets figure out how to get along with neighbors, we don't want to be a pain in the butt, so we made some changes. We had the same procedures at our old location and never had noise complaints. When we moved, we kept those same procedures but that didn't work in the new footprint at the new location. I'm familiar with those guys, but of all the other neighbors, nobody living on the property. Yes, you hear it on the important days, like checking in on the Fourth of July. There are certain days that are bigger triggers for the dogs, and the noise of course happens. We staff accordingly.
MS - For the hours, if we consider like a holiday, is there a way you can have all the dogs in at a certain time? How would that work for your process?
JS - You mean like throughout the day?

MS - If we were to look at restricted hours?
JS - I would say that would be an unreasonable request to ask the dogs to go so long without relieving themselves.
MS - Ok, so that's where they relieve themselves is outside?
JS - Yes.
MP - Is there a way we could push the mornings back from 6:30a7:00a, is that unreasonable to ask?
JS - I mean when do you let your dog out? I think that would be cruel to make a dog wait until 8a or 9a to use the bathroom. If they are coming for daycare, drop off times can be busy. I don't think we have any evening concerns, it is only in the mornings.
MS - Your operation doesn't allow for a dog to relieve themselves inside?
JS – Well, I can tell them not to, but they are going to if they want to. Not to mention the health concerns.
MS - You're not setup to handle that?
JS - We do have cleaning procedures and processes, but it is unfair for us to ask a dog to not use the bathroom outside.
MP - Going back to the fence, do you know of other facilities that have fences installed for noise?
JS - There is options for those types of things. To be honest, most facilities like ours operate with neighbors and our old location did as well with no noise complaints. We had working relationships with our previous neighbors. I do not have the logistics of what a fence would do, no. We have put some research into what the roof would do and we figured that would be the most powerful way to mitigate noise.
JH - Has research shown a decrease in noise with roofs like this?
JS - I do not have the statistics, in the heart of it, there isn't anything in the CUP that is concerning noise, nothing says you can't have noise. To be able to help our clients.
MS - The talk about the repair facility? If we were to approve this, that would have to cease until you come back for a permit.
JS - We would have to ask more questions and find out what is appropriate and what isn't. Can he just not park them on the property? Technically, that's what the garage was for, so he can park the service trucks inside.
JH - The County does have ordinances for home occupations even with parking. So that is a discussion you would have to have with County staff. Maybe we could include it as a condition? It is part of the property still.
MP - I guess I'm in agreeance, if she is trying to do the right thing, it is hard to know what is going to help and what is not.
JH - I agree with MP.
MP - Is a fence required? I wish there was a way to judge.
MS - The noise is such a challenge, if we don't get that right here and you add in 20 more dogs. That's kind of to your point. Do you approve it and see if the noise gets better?
JH - Then they would have to come back again to try and get another amendment, you're ultimately just delaying it. Even if you do give it a year, I don't think much will be different.
MS - But if it comes back and the noise is a non-issue.
JH - It has been the same issue the last couple years, with the same amount of dogs, to some people.

Motion to recommend approval with stated conditions and findings made by MP, seconded by JH, and motion passed 3-1. CP nay.

2. **Final Plat/Herrlich - Section 19, Cannon City Township**

Danielle Herrlich, on behalf of landowners, has applied for approval of a final plat to modify boundaries of two existing home lots. The property is currently described as: Part of Lot 1 and all of Lots 6 & 7 of Boudreau's Subdivision in the NE1/4, Section 19, Cannon City Township, Rice County, Minnesota. PID#s: 11.19.1.26.009, 11.19.1.26.002 & 11.19.1.26.003. The addresses of the existing homes on the properties are: 18100 & 18210 Faribault Blvd, Faribault, MN 55021. The properties are zoned: RR, Rural Residential.

Motion by Michael Streiff, seconded by Matt Purfeerst, to recommend approval of the Final Plat with the following conditions and findings for Herrlich. The property is located in Section 19 of Cannon City Township.

RESULT: Approved, AYES: Charlie Peters, Michael Streiff, Julia Hogan, Matt Purfeerst, NAYS: None

CONDITIONS OF APPROVAL - Herrlich - Final Plat

1. Final plat shall be recorded with the Rice County Recorder within six (6) months of this approval.

Hearing Minutes:
Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).

The PC asked the applicant, Roger Boudreau (RB), to come forward to add comments or answer questions regarding the request.
RB - It is pretty simple, bigger back yard, more to mow. A place for my grandson to wear himself out.

Chair Peters opened the public testimony portion of the item to the public and no one spoke.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:
CP - This is pretty straight forward. It looks like a decent split.

Motion to recommend approval with stated conditions and findings made by MS, seconded by MP, and approved unanimously.

3. **Waiver of Plat/LaCanne - Section 27, Wells Township**
Jane LaCanne has applied for a Waiver of Plat to allow for a reduction in size of a parcel containing a dwelling of record in the Urban Reserve Zoning district. The proposed parcel to contain the existing home is 5.17 acres in size. The property is described as: Part of the N1/2 of the S1/2, Section 27, Wells Township, Rice County, Minnesota. PID#: 10.27.4.25.002. The property address is: 19500 Roberds Lake Blvd, Faribault, MN 55021. The property is Zoned UR, Urban Reserve.
Motion by Julia Hogan, seconded by Matt Purfeerst, to recommend approval of the Waiver of Plat with the following conditions and findings for LaCanne. The property is located in Section 27 of Wells Township.
RESULT: Approved, AYES: Charlie Peters, Michael Streiff, Julia Hogan, Matt Purfeerst, NAYS: None

CONDITIONS OF APPROVAL - LaCanne - Waiver of Plat (WOP)

1. The new 5.17-acre parcel shall only shall only contain one single family dwelling and accessory structures.
2. The County conservation easement shall be recorded on the Urban Reserve zoned area of the remaining property at or before the time of recording the 5.17-acre house parcel.
3. Any new construction on the parcels is to adhere to all Rice County codes and ordinances.
4. All parcels and easements shall be recorded prior within one year of the approval.
5. A suitable alternate septic location for the existing home shall be identified on the property.

Hearing Minutes:
Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).
TM - I did have one more condition that needs to be added. A septic compliance inspection did not identify the alternate location. So I would add a condition for a secondary site.

The PC asked the applicant, Jane LaCanne (JL), to come forward to add comments or answer questions regarding the request.
JL - I don't have anything to add.
CP - Are you aware of the 5 conditions, 4 originally?
JL - Yes.

Chair Peters opened the public testimony portion of the item to the public and no one spoke.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:
CP - This is pretty straight forward.
JH - Reasonable request.
TM - Suitable alternate septic location for the existing home should be identified on the property.

Motion to recommend approval with stated conditions and findings made by JH, seconded by MP, and approved unanimously.

4. **Conditional Use Permit/Tempel (Bo Hu) - Section 18, Northfield Township**
Scott Tempel, on behalf of landowners Bo Hu and Cao Wei, has applied for an Interim Use Permit to allow for a change from a permit issued in 2021 for a 1-MW solar energy production facility. The proposed change is to change the system from utilizing dual axis tracking solar units to single axis tracking units. The property is described as: Part of the SE1/4 of the SW1/4, Section 18, Northfield Township, Rice County, Minnesota. PID#: 08.18.3.75.001. The site address is: 7615 Dennison Blvd, Northfield, MN 55057. The property is Zoned A, Agricultural.

Motion by Michael Streiff, seconded by Matt Purfeerst, to recommend approval of the Conditional Use Permit with the following conditions and findings for Tempel (Bo Hu). The property is located in Section 18 of Northfield Township.
RESULT: Approved, AYES: Charlie Peters, Michael Streiff, Julia Hogan, Matt Purfeerst, NAYS: None

CONDITIONS OF APPROVAL - Tempel (Bo Hu) - Conditional Use Permit (CUP)

1. The landowner and operators shall comply with all rules, regulations, requirements, or standards of the Minnesota Public Utilities Commission, Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, Army Corps of Engineers, and other applicable federal, state or local agencies.
2. The Interim Use Permit (IUP) is for a 1-MW solar energy production site as shown on the approved site plan, subject to meeting all setback and access requirements.
3. Security fence shall consist of fencing meeting state and federal electrical code requirements.
4. All required permits shall be obtained prior to onsite construction.
5. As soon as onsite construction is completed all areas of the site, excluding the access roads and electrical equipment pads, are to be established and maintained in Agricultural crop production or a pollinator friendly perennial vegetative cover.
6. All electrical lines internal to the site and to the location of the interconnection point with the power utility shall be buried underground.
7. An evergreen tree species vegetative screening shall be established and maintained along the north side of the newly proposed solar fenced area. Trees shall have a minimum 4-ft initial height and shall be spaced not more than 20-ft apart.
8. A stormwater plan and proof of compliance with state/federal stormwater regulations shall be submitted to Rice County Environmental Services with the application for building permits.
9. The applicant or operator shall furnish Rice County with a $50,000 bond or other approved financial surety to ensure proper site decommissioning/restoration and to ensure road repair or repair for other off-site damages caused by construction or operation of the facility. Financial surety shall be reviewed and approved by the Rice County Attorney's office prior to any work on-site.
10. The entire site shall be restored to a condition suitable for agricultural crop production within 18-months after the cessation of onsite electrical production.
11. Failure to comply with conditions may result in revocation of the conditional use permit.
12. This Interim Use Permit shall expire and be considered null and void if no construction has begun within one year from the County Board approval date.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).
MP - When you said screening, what do you mean by that?
TM - Referenced condition #7.
MS - So we originally approved this in 2021?
TM - I believe it was originally approved with single tracking and changed to dual tracking and now back.

The PC asked the applicant, Brittney Krebsbach (BK), to come forward to add comments or answer questions regarding the request.
BK - On behalf of applicant Scott Tempel, I'm the manager of *Novel Energy Solutions*. I know we have had a long night, but I can try and keep it short. If there are any questions, I'm happy to answer. As TM outlined, we were originally approved with a single access tracker. We then amended for dual access trackers. We all know that solar is ever evolving and somewhat of a new industry. It seemed promising and allowed for panels to be oriented at an angle to be optimal for sunlight at all hours of the day. We had a manufacturer lined up and it turned out that the manufacturer was over promising and under delivering. They also have a patent for that equipment, so he fell through on a lot of our sites. I did want to touch on that, essentially, 2022 was a lot of pivoting, then pivoting back to some shortcomings and all those fun solar industry types of issues. We have an interconnection agreement with Xcel Energy. TM was on the ball and spot on, that permitting does take time. What we have been dealing with since the pandemic is electrical and steel supply chain issues. I had a meeting with Xcel today and their transformers were pushed out 52 weeks. That's when we have IFP90's to put them on order. I know that's a problem everyone is dealing with but especially Novel Energy Solutions. We do have an interconnection agreement with Xcel, which means we are required to have this project completed and hooked up by March of 2024. This may seem far but it is close to us. We do plan to start construction this fall. We have completed geo-tech staking on site, trying to move forward while we deal with supply issues. Just switching back to the original plans, we do have single access trackers now. The only difference is that, essentially, the panels alongside the road were in landscape are now in portrait type mode. Ground screws instead of a channel pier, which helps a lot with different terrain.
CP - So you're good with your original 12 conditions?
BK - Yes.

Chair Peters opened the public testimony portion of the item to the public and no one spoke.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:
CP - I remember this one.
JH - I've seen that it's an issue among all solar companies and supply chains like the applicant mentioned. So it is not the first solar project to come back and ask for an extension.

Motion to recommend approval with stated conditions and findings made by MS, seconded by MP, and approved unanimously.

III. Adjournment

Hearing no other items before the PC, a motion was made by Purfeerst, second by Hogan, to adjourn the meeting at 8:46 pm. Motion carried 4-0.

Respectfully Submitted

Cassy Klumb
Office Support Specialist

Planning Commission

_____

Charlie Peters, Chair

RICE COUNTY
ENVIRONMENTAL SERVICES DEPARTMENT
MEMORANDUM

TO: Planning Commission
FROM: Trent McCorkell, Rice County Zoning Administrator
HEARING DATE: May 25, 2023
SUBJECT: Lindenfelser – CUP

SUMMARY OF THE APPLICATION
Nick Lindenfelser, on behalf of landowner Paul and M Lindenfelser Trust, has applied for an amendment to an existing Conditional Use Permit (CUP) for an Agricultural repair and fabrication shop. The proposed change to the CUP is for the addition of a 100-ft by 60-ft storage building. A variance from the Road Right of Way setback is also proposed for the building with that request being scheduled to be heard by the Board of Adjustment on May 25, 2023.

Application Data

APPLICANT: Nick Lindenfelser

LOCATION: Part of the NW1/4 of the NW1/4, Section 34, Northfield Township, Rice County, Minnesota. PID#: 04.34.2.25.001. The property address is: 10075 Stanton Blvd, Northfield, MN 55057.

ZONING: A, Agricultural

Lot Area

	Lot Area	**Lot width**	**Lot Depth**
Subject Parcel	152-acres	½ mile approx.	½ mile approx.
Minimum Requirement	2.5 acres	50-ft	N/a

Location
The subject property is located on the south side of Stanton Blvd (Highway 19), approximately 2 miles east of Northfield.

Roads and Access
The site uses an existing driveway from Stanton Blvd.

Existing Site Conditions
Photos of the property will be presented at the meeting.

Applicable Zoning Ordinance Sections
Section 503.05, Table 508-1, and Section 509.

If approved, conditions might include:

1. The applicant is to follow all Federal, State, County and Local rules and regulations.

2. The conditional use permit is for an agricultural repair and fabrication shop. Applicant is to follow the approved site plan. Changes to the business are not permitted without approval of a new/amended permit.
3. All outside storage and parking shall be screened to public roads. Screening shall be provided by maintaining the existing tree cover on the north and west sides of the buildings.

4. All vehicles, equipment and trailers stored/parked outside shall have a current license if said license is required for use on a roadway.

5. There shall be no outside storage of waste materials.

6. Bathroom facilities shall be provided for employees.

7. All buildings shall meet building code for the intended use.

8. Onsite signage is allowed up to 32-sqft per side of sign.

9. Failure to comply with conditions may result in revocation of the conditional use permit.

Subject site
Northfield
0431100001
0432200001
0432225001
0432200003
0432225001
0432125001
0432250001
0432275002
0432400001
0432326001
0432375001
0432475001
0432450001
0433125001
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0803225002
0803250001
0803125001
0803150001
0803100002
0802225002
0802250002
0802150001
0802125001
0802125002
0802175002

Subject site
0433125001
0434200001
0433100004
0434225001
0434100001
043522500
0433275001
0433300001
0433400001
0434300002
0434400001
043532500

Subject site
0433100004
0434225001

10075

Zoning Conditional/Interim Use Permit Application (CUP/IUP) UID # 13782
App. Status: Pending Review

Property Information

Parcel Information:	**Parcel Information** / **Owner Information**

Parcel ID Number	Site Address	City	Zoned as	Owner Name
04.34.2.25.001	10075 STANTON BLVD	NORTHFIELD	AGRICULTURAL	PAUL & M LINDENFELSER TRUST

Are you the Landowner?	Yes
Will you be using an authorized agent?	No

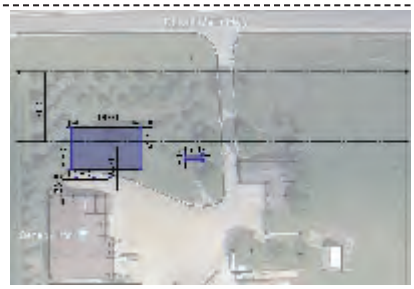
Applicant Information

Applicant Information:	Name: Nicholas Lindenfelser Phone #1: (507) 581 - 0268 Phone #2: (507) 663 - 7788 Email Address: nick@generalironmn.com Mailing Address: 10075 Stanton Blvd Northfield MN 55057

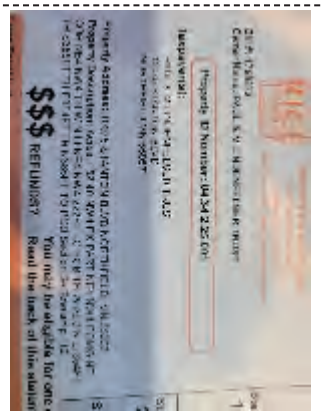
Conditional Use Request

Proposed Use from 508 Use Table below:	AG/Commercial use in the A District
Select whether the proposed use is a Conditional Use or an Interim Use:	CUP
Explanation of requested CUP / IUP:	We are looking to add a new cold storage building adjacent to our current AG related repair and fabrication shop. We run a clean low traffic operation that is not an eye sore.

Site Plan

Please attach a Site Plan:	 File 1: General_Iron_Shop_Set_Back_Zoom.png

Legal Descriptions

Legal Description of project:	 File 1: General_Iron_Property_ID.jpeg

Written Evidence/Criteria

Criteria:	File 1: Conditional-Use--Interim-Use-Permit-Criteria_General_Iron.pdf

Septic Information

Is your septic system less than 5 years old or had a valid compliance inspection in the past 3 years?	Yes

Terms

Terms and Conditions

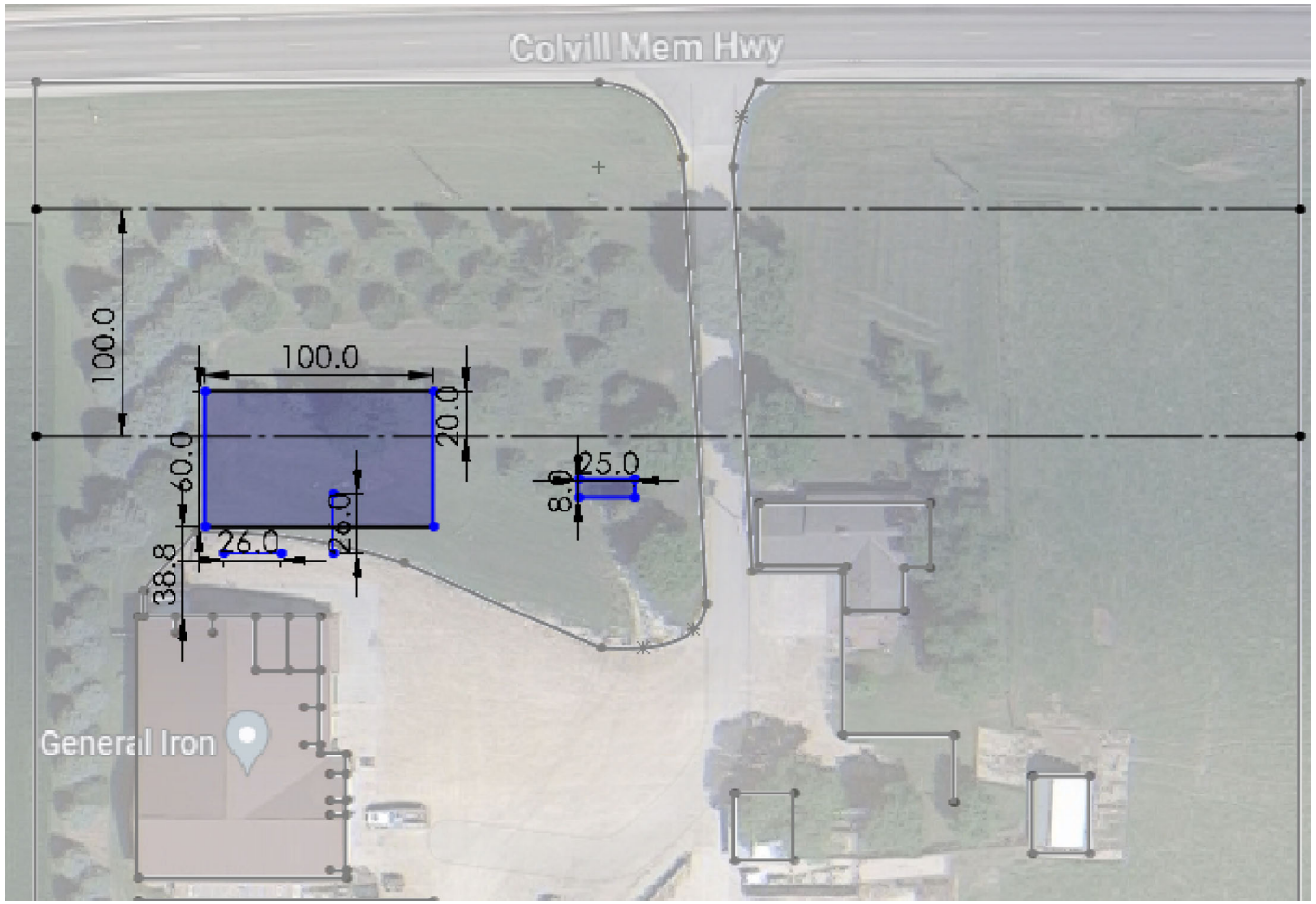
By checking the box above, I hereby certify that all data contained herein, as well as supporting data, are true and correct.
Landowner or Applicant or Representative must attend the scheduled public hearings.

Public Notes

Text:	5/5/23 CK - Email sent for legal description. Rec'd 5/5/23 5/5/23 CK - Item scheduled to be heard at the May 25, 2023 Planning Commission meeting.
File(s):	File 1: Deed_-Submitted_by_Lindenfelser.pdf

Internal Notes

Text:	5.8.23 md- ?septic CONDITION for House ssts, ?Shop
File(s):	


Colvill Mem Hwy
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General Iron

31
XSKM

442360

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed (X) not required
Certificate of Real Estate Value No. _____
September 19, 1998

Gene Mabert
acting County Auditor

by _____ Deputy

Document No.
442360

OFFICE OF COUNTY RECORDER
RICE COUNTY, MINN

No. of Pages 1

I hereby certify that the within instrument was filed in this office for record on 09-15-1998 at 12:32 ☐ AM ☒ PM

09151998

Linda Lamont, Acting County Recorder

P. Melchert
Deputy

QUIT CLAIM DEED (Individuals to Individuals)

P

STATE DEED TAX DUE HEREON: $1.65

Date: September 8, 1998

FOR VALUABLE CONSIDERATION, Paul W. Lindenfelser and Maxine S. Lindenfelser, husband and wife, Grantors, hereby convey and quit claim to Paul W. Lindenfelser and Maxine S. Lindenfelser, trustees of the Paul W. and Maxine S. Lindenfelser Revocable Living Trust dated 1/28/88, Grantees, real property in Rice County, Minnesota, described as follows:

08.0320.000

The NW¼ of Section 34, Township 112, Range 19, Rice County, Minnesota;

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: roads, easements and restrictions of record, if any.

Date 9/15/98 Receipt # 10202
Rice County Deed Tax Paid $ 1.65

Paul W Lindenfelser
PAUL W. LINDENFELSER

Maxine S. Lindenfelser
MAXINE S. LINDENFELSER

STATE OF MINNESOTA)
) ss.
COUNTY OF RICE)

The foregoing instrument was acknowledged before me this 8 day of September, 1998, by Paul W. Lindenfelser and Maxine S. Lindenfelser, husband and wife, Grantors.

Jeanette S. Tyndall
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

JEANETTE S. TYNDALL
NOTARY PUBLIC-MINNESOTA
RICE COUNTY
My Commission Expires Jan. 31, 2000

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

Paul and Maxine Lindenfelser
10075 Stanton Boulevard
Northfield, MN 55057

THIS INSTRUMENT WAS DRAFTED BY:

LAMPE, SWANSON & MORISETTE
ATTORNEYS AT LAW
105 East Fifth Street
P.O. Box 240
Northfield, MN 55057
507-663-1211

442360

Conditional *or* Interim Use Permits - Provide a detailed response to each review criteria

503.05 E.2. Review criteria for all conditional *or* interim use permits.

In granting or renewing a conditional *or* interim use permit, the Rice County Board of Commissioners shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety and general welfare of occupants of surrounding lands. Among other things, the following findings shall be made:

a. Burden on public facilities. The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities that serve or are proposed to serve the area.

little to none burden on any public facilities

b. Sewer and water. The site is adequate for water supply and on-site sewage treatment.

Yes

c. Compatible with surrounding uses. The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.

Yes

d. Appearance. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.

Yes

e. County needs. The use is reasonably related to the overall needs of the County and to the existing land use.

Yes

f. Zoning district purposes. The use is consistent with the purposes of this Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

Yes

g. Comprehensive Plan. The use is in conformance with the Rice County Comprehensive Plan.

Yes

h. Traffic. The use will not cause traffic hazard or congestion.

No affect to trafiic we have a low traffic volume to the property

i. Effect on businesses. Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare or general unsightliness.

No

j. Soil erosion. The use shall provide for the prevention of soil erosion or other possible pollution of public waters, both during and after construction.

Yes

k. Visual impact. The visibility of structures and other facilities as viewed from public waters is limited.

N/A

l. Watercraft. The types, uses, and number of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.

N/A

m. Other. Any other factors bearing on public health, safety or welfare.

N/A

Add additional pages as needed

From: Schnell, Tracy (DOT)
To: RCPlanningZoning
Cc: Wayne, Kurt (He/Him/His) (DOT); Schnell, Tracy (DOT)
Subject: Rice County Minnesota Board of Adjustment Items
Date: Friday, May 19, 2023 12:12:57 PM
Attachments:

[This message was received from an external source. Do not click links or open attachments unless verified. Please report all suspicious emails to Rice County IT using the Phishing Alert button.]

These proposals appear to have no significant impact on MnDOT roadways and are acceptable to MnDOT.

Variance/Drager - Section 15, Forest Township

Variance/Whipple- Section 15, Wells Township

Variance/Grossman - Section 31, Forest Township

Conditional Use Permit/Lindenfelser

Final Plat/Johnson - Section 8, Wells Township

Waiver of Plat/Schwartz - Section 30, Morristown Township

Conditional Use Permit/Lynch- Section 26, Webster Township

Waiver of Plat/Olson - Section 5, Wheatland Township

Thanks,

Tracy Schnell
Senior Planner | District 6

Minnesota Department of Transportation
2900 48th Street NW
Rochester, MN 55901
C: 507-259-3852
mndot.gov/

RICE COUNTY
ENVIRONMENTAL SERVICES DEPARTMENT
MEMORANDUM

TO: Planning Commission
FROM: Trent McCorkell, Rice County Zoning Administrator
HEARING DATE: May 25, 2023
SUBJECT: Final Plat – Johnson

SUMMARY OF THE APPLICATION
Colin Johnson has applied for a final plat to create three building lots. In March of this year a preliminary was approved for this subdivision. With this application information has been submitted that Wells Township has proposed that the new public roadway only be constructed to "cart way" standards at this time. It appears that this would mean a 16-ft wide road surface instead of the normal 24-ft surface. Concerns have also been raised about wetland impacts with the road construction. Planning staff has advised the applicant to have these concerns addressed with the SWCD before the May 25th hearing.

Application Data
APPLICANT: Collin Johnson

LOCATION: Part of Government Lot 3 in the NE1/4 of Section 8, Wells Township, Rice County, Minnesota. PID#: 10.08.1.50.002

ZONING: RDS, Recreational Development Shoreland

Lot Area/Dimensions

	Lot Area	Lot width	Notes
Total Subject area	16-acres	>100-ft	
Proposed Lot 1	8.59-acres	>100-ft	Septic and potential building area are near the existing roadway due to steep slopes and wetlands
Proposed Lot 2	4.76-acres	>100-ft	Septic locations remain on the north side of the lot with the home site access by the new proposed roadway. Septic lines from the house are proposed to run along the new roadway.
Proposed Lot 3	2.01-acres	>100-ft	The previous driveway is replaced with the new roadway for access to the building site and septic.
Requirements	40,000-sqft	100-ft	

Location
The property is located on the south side of Kelly Lake Trail, approximately 3-miles northwest of Faribault.

Roads and Access
Lot 1 is proposed to have a driveway to the existing Kelly Lake Trail and lots 2 and 3 will have driveways from the new proposed roadway. The proposed roadway in the plat has not been required to extend through to the neighboring property as the area bordering this property is primarily wetland.

Existing Site Conditions
Photos of the property will be provided at the meeting

APPLICABLE ZONING ORDINANCE SECTIONS
Sections 516 and 523.

If approved, conditions might include:

1. Final plat shall be recorded with the Rice County Recorder's office within 90-days of the County Board of Commissioners approval.

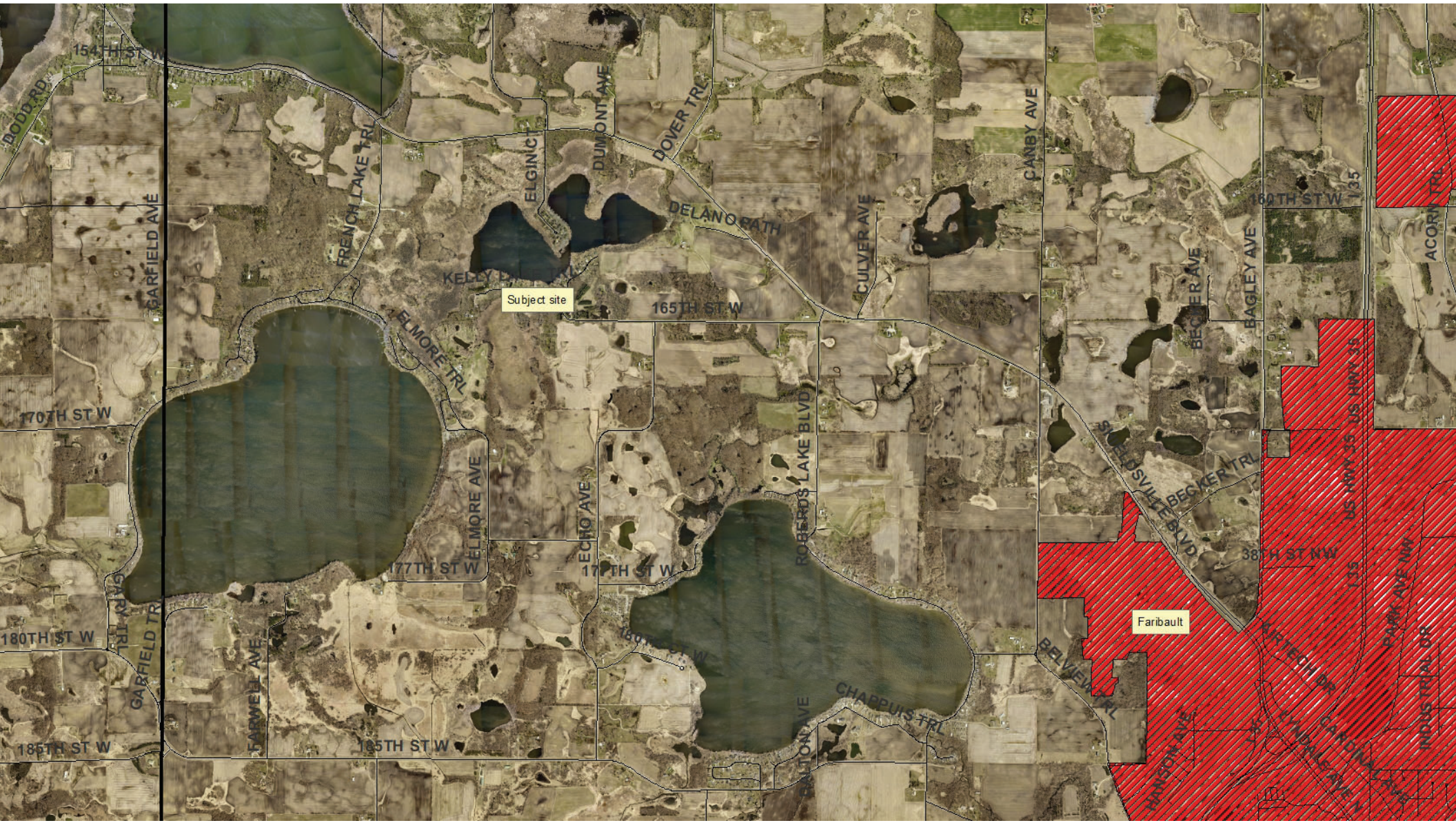
2. The lots shall not be further subdivided or combined with other land(s) unless approved under the Rice County subdivision regulations.

3. Road numbering/naming is to follow all Rice County naming requirements.

4. An in-lieu park dedication fee of $1500 shall be paid prior to recording of the plat.

5. A final signed development agreement between the developer and Rice County shall be completed prior to recording of the plat. The development agreement is to include provisions for financial surety of 1.25 times the estimated cost of the improvements, guarantee completion of improvements within two years, and warranty the construction.

6. All construction is to adhere to all Rice County codes and ordinances.


154TH ST W
DODD RD
GARFIELD AVE
FRENCH LAKE TRL
ELGIN CT
DUMONT AVE
DOVER TRL
DELANO PATH
CULVER AVE
CANBY AVE
160TH ST W
I-35
ACORN TRL
BAGLEY AVE
BECKER AVE
Subject site
165TH ST W
ELMORE TRL
170TH ST W
ELMORE AVE
ECHO AVE
177TH ST W
ROBERTS LAKE BLVD
SHELDSVILLE BLVD
BECKER TRL
US HWY 10
US HWY 169
38TH ST NW
PARK AVE NW
Faribault
180TH ST W
GARFIELD TRL
FARWELL AVE
185TH ST W
BELVIEW TRL
CHAPPUIS TRL
BALTON AVE
HANSON AVE
INDUSTRIAL DR

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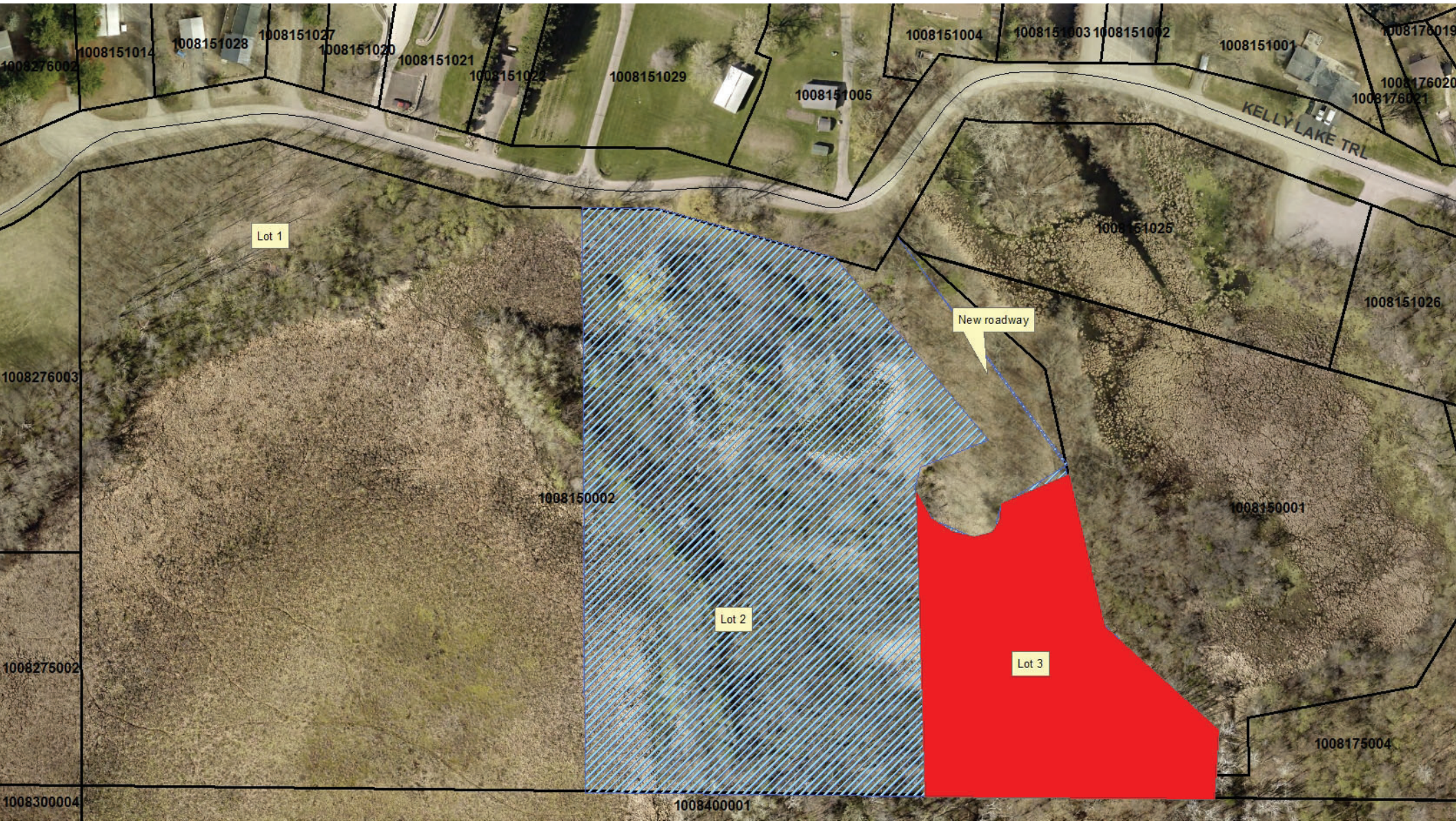
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1008176019
1008176020
1008176021
KELLY LAKE TRL
1008276002
Lot 1
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New roadway
1008276003
1008150002
1008150001
Lot 2
Lot 3
1008275002
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1008400001

5481

Zoning Final Plat UID # 13210
App. Status: Pending Review

Property Information

Parcel Information:	**Parcel Information** / **Owner Information** **Parcel ID Number**: 10.08.1.50.002 **Site Address**: **City**: **Zoned as**: RECREATIONAL DEVELOPMENT SHORELAND **Owner Name**: JOHNSON COLIN D & PAULA
Are you the Landowner?	Yes
Will you be using an Authorized Agent?	No

Applicant Information

Applicant Information:	Name: Colin D Johnson Phone #1: (507) 838 - 5336 Email Address: colin_johnson_48@msn.com Mailing Address: 5385 Kelly Lake Trail, Faribault, MN, USA Street 2 Faribault MN 55021

Subdivision Regulations

I have read the Zoning Ordinance Chapter 523.:	Yes

Preliminary Plat Information

Preliminary Plat Information:	File 1: JOHNSON_ADDITION_PLAT_REV_2-28-23-3.pdf

Final Plat Design

Final Plat Drawing:	File 1: JOHNSON_ADDITION_PLAT_10-26-22.pdf File 2: Kelly_Lake_Court_SITE_AND_GRADING_041423.pdf

Additional Information

Additional Information:	File 1: Road_Estimates.pdf File 2: Twp_minutes_Dec_2022_03_20_2023_0001.pdf

Terms

Terms and Conditions

By checking the box above, I hereby certify that all data contained herein, as well as supporting data, are true and correct.
Landowner or Applicant or Representative must attend the scheduled public hearings.

Public Notes

Text:	11/3/22 aa - Item to be heard at the December 1, 2022 Planning Commission meeting. 11/8/22 TM - Talked to applicant about needing the drawing/information to comply with condition 2 of preliminary plat approval. Showing potential conforming building location for each lot. He will submit those in the next day or two. - RCV'D 11/14, attached below. 11/21/22 aa - received email from applicant requesting to postpone item; email request attached below. 11/21/22 aa - received email from MnDOT - No Significant Impact; attached below. 11/23/22 TM - See attached memo. 12/2/22 TM - Applicant has requested time to allow for changes to meet wetland and access needs. Application may have to be refiled as a new preliminary pending those changes. 12.7.22 md Attached revised septic info for lot 3 dated 11.30.22 4/25/2023 CK - Item scheduled to be heard at the May 25, 2023 Planning Commission Meeting.
File(s):	File 1: 11.30.22_septic_Johnson_Lot_3_Paperwork.pdf File 2: Affidavit__Johnson_Final_Plat.pdf File 3: Johnson_Final_Plat_Labels.pdf File 4: Johnson_Proposed_Building_Sites_REVISED_11_13_2022_0001_003.pdf

File 5: Johnson_Request_to_postpone.pdf

File 6: MnDOT_No_Significant_Impact.pdf

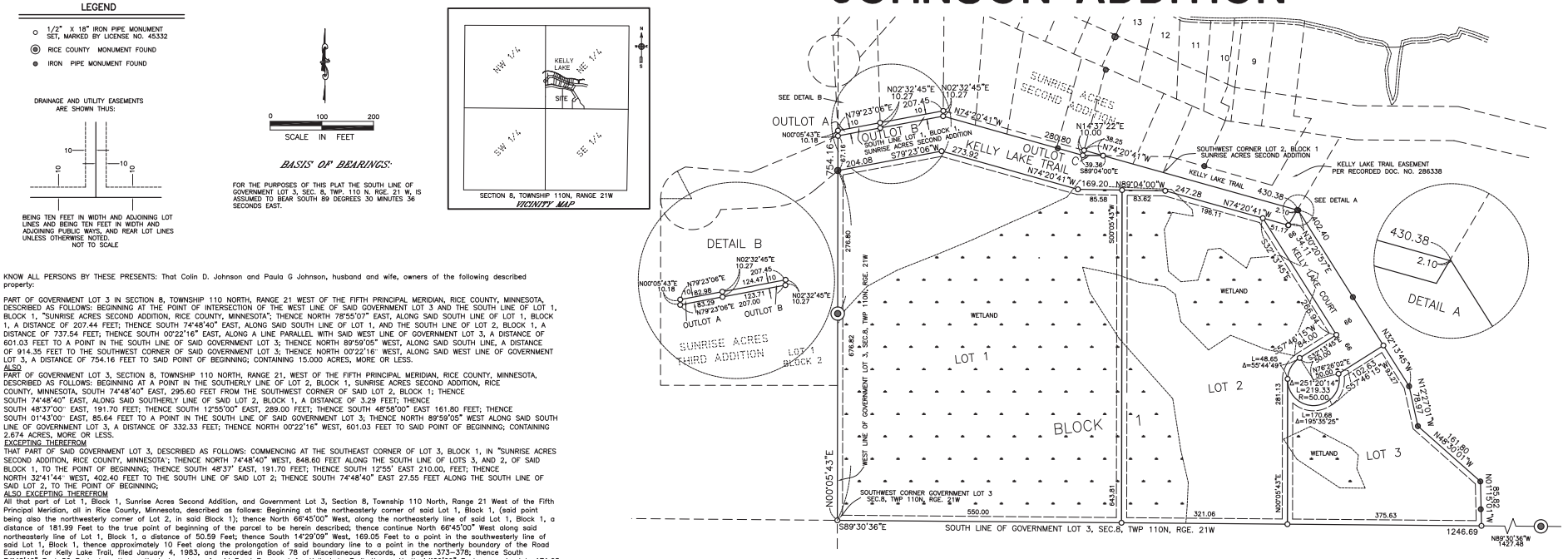
File 7: PC_Notice_12012022.pdf

File 8: Staff_memo_10_08_Johnson_Plat.pdf

Internal Notes

Text:	
File(s):	

JOHNSON ADDITION



KNOW ALL PERSONS BY THESE PRESENTS: That Colin D. Johnson and Paula G Johnson, husband and wife, owners of the following described property:

PART OF GOVERNMENT LOT 3 IN SECTION 8, TOWNSHIP 110 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, RICE COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE WEST LINE OF SAID GOVERNMENT LOT 3 AND THE SOUTH LINE OF LOT 1, BLOCK 1, "SUNRISE ACRES SECOND ADDITION, RICE COUNTY, MINNESOTA"; THENCE NORTH 78°55'07" EAST, ALONG SAID SOUTH LINE OF LOT 1, BLOCK 1, A DISTANCE OF 207.44 FEET; THENCE SOUTH 74°48'40" EAST, ALONG SAID SOUTH LINE OF LOT 1, AND THE SOUTH LINE OF LOT 2, BLOCK 1, A DISTANCE OF 754.16 FEET; THENCE SOUTH 00°22'16" EAST, ALONG A LINE PARALLEL WITH SAID WEST LINE OF GOVERNMENT LOT 3, A DISTANCE OF 601.03 FEET TO A POINT IN THE SOUTH LINE OF SAID GOVERNMENT LOT 3; THENCE NORTH 89°59'05" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 914.35 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 3; THENCE NORTH 00°22'16" WEST, ALONG SAID WEST LINE OF GOVERNMENT LOT 3, A DISTANCE OF 754.16 FEET TO SAID POINT OF BEGINNING; CONTAINING 15.000 ACRES, MORE OR LESS.

ALSO

PART OF GOVERNMENT LOT 3, SECTION 8, TOWNSHIP 110 NORTH, RANGE 21, WEST OF THE FIFTH PRINCIPAL MERIDIAN, RICE COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTHERLY LINE OF LOT 2, BLOCK 1, SUNRISE ACRES SECOND ADDITION, RICE COUNTY, MINNESOTA, SOUTH 74°48'40" EAST, 295.60 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK 1; THENCE SOUTH 74°48'40" EAST, ALONG SAID SOUTHERLY LINE OF SAID LOT 2, BLOCK 1, A DISTANCE OF 3.29 FEET; THENCE SOUTH 48°37'00" EAST, 191.70 FEET; THENCE SOUTH 12°55'00" EAST, 289.00 FEET; THENCE SOUTH 48°58'00" EAST 161.80 FEET; THENCE SOUTH 01°43'00" EAST, 85.64 FEET TO A POINT IN THE SOUTH LINE OF SAID GOVERNMENT LOT 3; THENCE NORTH 89°59'05" WEST ALONG SAID SOUTH LINE OF GOVERNMENT LOT 3, A DISTANCE OF 332.33 FEET; THENCE NORTH 00°22'16" WEST, 601.03 FEET TO SAID POINT OF BEGINNING; CONTAINING 2.674 ACRES, MORE OR LESS.

EXCEPTING THEREFROM

THAT PART OF SAID GOVERNMENT LOT 3, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 3, BLOCK 1, IN "SUNRISE ACRES SECOND ADDITION, RICE COUNTY, MINNESOTA"; THENCE NORTH 74°48'40" WEST, 848.60 FEET ALONG THE SOUTH LINE OF LOTS 3, AND 2, OF SAID BLOCK 1, TO THE POINT OF BEGINNING; THENCE SOUTH 48°37' EAST, 191.70 FEET; THENCE SOUTH 12°55' EAST 210.00, FEET; THENCE NORTH 32°41'44" WEST, 402.40 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH 74°48'40" EAST 27.55 FEET ALONG THE SOUTH LINE OF SAID LOT 2, TO THE POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM

All that part of Lot 1, Block 1, Sunrise Acres Second Addition, and Government Lot 3, Section 8, Township 110 North, Range 21 West of the Fifth Principal Meridian, all in Rice County, Minnesota, described as follows: Beginning at the northeasterly corner of said Lot 1, Block 1, (said point being also the northwesterly corner of Lot 2, in said Block 1); thence North 66°45'00" West, along the northeasterly line of said Lot 1, Block 1, a distance of 181.99 Feet to the true point of beginning of the parcel to be herein described; thence continue North 66°45'00" West along said northeasterly line of Lot 1, Block 1, a distance of 50.59 Feet; thence South 14°29'09" West, 169.05 Feet to a point in the southwesterly line of said Lot 1, Block 1, thence approximately 10 Feet along the prolongation of said boundary line to a point in the northerly boundary of the Road Easement for Kelly Lake Trail, filed January 4, 1983, and recorded in Book 78 of Miscellaneous Records, at pages 373-378; thence South 74°48'40" East 50 Feet along the northerly boundary of said Road Easement for Kelly Lake Trail; thence North 14°29'09" East, approximately 171.95 Feet to said true point of beginning.

ALSO EXCEPTING THEREFROM

The Northwesterly One-half of Lot 15, Lot 16, Lot 17, and the Southeasterly One-half of Lot 18, in Block 2, in Sunrise Acres Second Addition, Rice County, Minnesota, AND ALSO All that part of Lot 1, Block 1, in Sunrise Acres Second Addition, Rice County, Minnesota, and Government Lot 3 in Section 8, Township 110 North, Range 21 West of the Fifth Principal Meridian, Rice County, Minnesota, described as follows: Beginning at the northeasterly corner of said Lot 1; thence North 66°45' 00" West, along the northeasterly line of said Lot 1, a distance of 232.58 feet to the true point of beginning of the parcel to be herein described; thence continue North 66°45'00" West, along said northeasterly line, 206.85 feet; thence South 4°10'21" West, 201.76 feet to a point in the southwesterly line of said Lot 1, Block 1; thence continue South 4°10'21" West, 10.19 feet to the northeasterly line of the Kelly Lake Trail as described in Kelly Lake Trail Easement, filed for record on August 10, 1984, in Book 85 of M.R., pages 401-407; thence South 74°48'40" East, along said northeasterly line of Kelly Lake Trail, 161.21 feet to a point in a line that is South 16°10'43" West from said true point of beginning; thence North 16°10'43" East, 179.06 feet to said true point of beginning.

ALSO EXCEPTING THEREFROM

All that part of Lot 1, Block 1, Sunrise Acres Second Addition, and Government Lot 3, Section 8, Township 110 North, Range 21 West of the Fifth Principal Meridian, all in Rice County, Minnesota, described as follows: Beginning at the northeasterly corner of said Lot 1, Block 1, (said point being also the northwesterly corner of Lot 2, in said Block 1); thence North 66°45'00" West, along the northeasterly line of said Lot 1, Block 1, a distance of 439.43 Feet to the true point of beginning of the parcel to be herein described; thence continue along said northeasterly line of Lot 1, Block 1, a distance of 51.38 Feet; thence continue along the northerly line of said Lot 1, Block 1, South 89°15'00" West, 19.26 Feet; thence South 2°59'28" West, 204.58 Feet to a point in the southwesterly line of said Lot 1, Block 1; thence continue approximately 10 Feet South 2°59'28" West, being the prolongation of said course, to a point in the northerly boundary of the Road Easement for Kelly Lake Trail, filed January 4, 1983, and recorded in Book 78 of Miscellaneous Records, at pages 373-378; thence South 74°48'40" East 64.72 Feet along the northerly boundary of said Road Easement for Kelly Lake Trail; thence North 4°10'21" East, approximately 211.76 Feet to said true point of beginning. Subject to roads, easements and restrictions of record.

SUBJECT TO ROADS, EASEMENTS AND RESTRICTIONS OF RECORD.

Has caused the same to be surveyed and platted as JOHNSON ADDITION and does hereby donate and dedicate to the public for public use the public ways and drainage and utility easements as created by this plat.

In witness whereof said Colin D. Johnson and Paula G. Johnson, have caused these presents to be signed this _____ day of _____, 20___.

Colin D. Johnson Paula G. Johnson

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20___ by Colin D. Johnson and Paula G. Johnson.

Notary Public, _____ County, Minnesota

My Commission Expires: _____

SURVEYORS CERTIFICATE:

I, Timothy S. Peterson, Licensed Land Surveyor, certify that I have surveyed and platted the property described in this plat as JOHNSON ADDITION, that this plat is a correct representation of the survey, that all distances are correctly shown on the plat in feet and hundredths of a foot, that all monuments depicted on this plat have been or, will be correctly placed in the ground as shown within one year, that the outside boundary lines are correctly designated on the plat and that there are wetlands as defined in Minnesota Statutes Section 505.01 Subd. 3; and all public ways to be designated are shown thereon.

Timothy S. Peterson, Land Surveyor
Minnesota License No. 45332

Date

State of _____

County of _____

The foregoing Surveyor's certificate was acknowledged before me this _____ day of _____,20___ by Timothy S. Peterson, Land Surveyor,

Notary Public, _____ County, Minnesota

My Commission Expires: _____

WELLS TOWNSHIP BOARD

This plat was approved and accepted by the Town Board of Wells Township this ____ day of _____, 20____, and is in compliance with the provisions of Minnesota Statutes 505.03, Subdivision 2.

Clerk Chairperson

RICE COUNTY BOARD OF COMMISSIONERS

We do hereby certify that on the____ day of_____, 20____, the Board of Commissioners of Rice County, Minnesota approved this plat of JOHNSON ADDITION, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

Board Chairperson

RICE COUNTY PROPERTY TAX & ELECTIONS

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____day of _____, 20____.

Denise Anderson
Property Tax & Elections Director

RICE COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, subd. 11, this plat has been reviewed and approved this_____day of_____, 20_____.

Michael Fangman
Rice County Surveyor

RICE COUNTY RECORDER

County Recorder, County of Rice, State of Minnesota

I hereby certify that this plat of JOHNSON ADDITION was filed in the office of the County Recorder for public record on this_____day of_____, 20 _____ at _____ o'clock __.M. and was duly filed as Document Number_____.

Michael Fangman
Rice County Recorder

PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

JOHNSON ADDITION

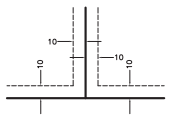
LEGEND

- 1/2" X 18" IRON PIPE MONUMENT SET, MARKED BY LICENSE NO. 45332
- RICE COUNTY MONUMENT FOUND
- IRON PIPE MONUMENT FOUND

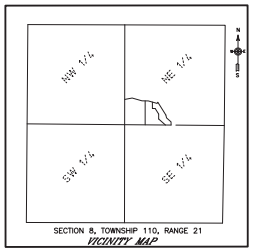
BASIS OF BEARINGS:

FOR THE PURPOSES OF THIS PLAT THE SOUTH LINE OF GOVERNMENT LOT 3, SEC. 8, TWP. 110 N. RGE. 21 W, IS ASSUMED TO BEAR SOUTH 89 DEGREES 30 MINUTES 36 SECONDS EAST.

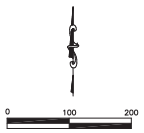
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



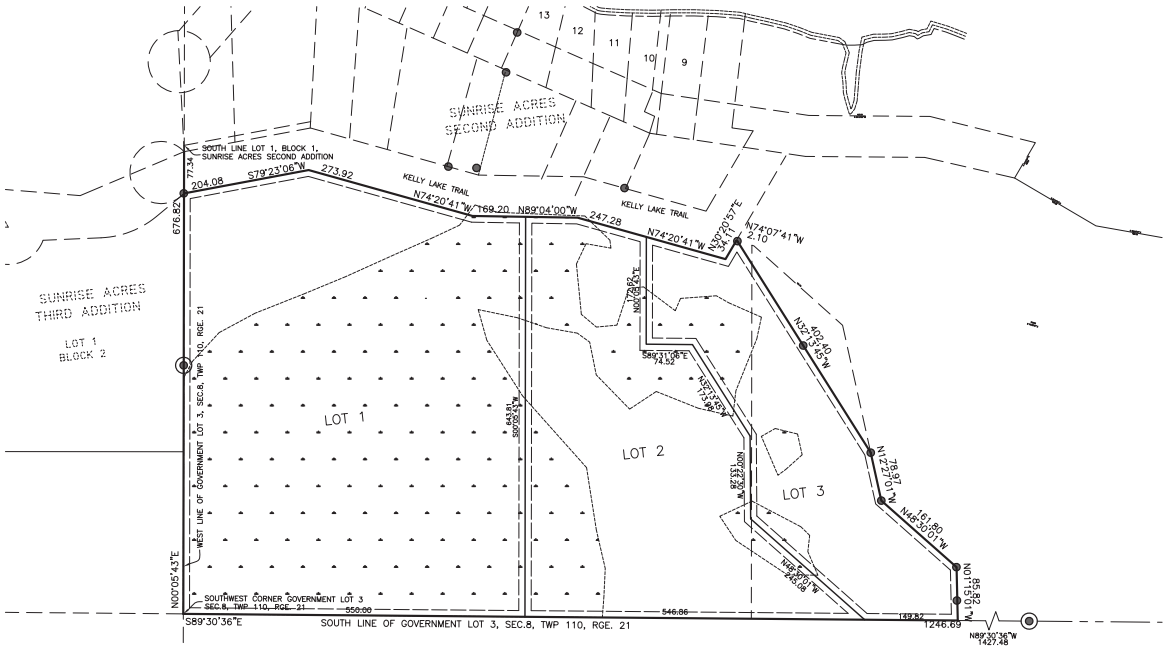
BEING TEN FEET IN WIDTH AND ADJOINING LOT LINES AND BEING TEN FEET IN WIDTH AND ADJOINING PUBLIC WAYS, AND REAR LOT LINES UNLESS OTHERWISE NOTED.
NOT TO SCALE



SECTION 8, TOWNSHIP 110, RANGE 21
VICINITY MAP



SCALE IN FEET



KNOW ALL PERSONS BY THESE PRESENTS: THAT Colin d Johnson and Paula G Johnson, owners of the following described property:

PART OF GOVERNMENT LOT 3 IN SECTION 8, TOWNSHIP 110 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, RICE COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE WEST LINE OF SAID GOVERNMENT LOT 3 AND THE SOUTH LINE OF LOT 1, BLOCK 1, "SUNRISE ACRES SECOND ADDITION, RICE COUNTY, MINNESOTA"; THENCE NORTH 78055' 07" EAST, ALONG SAID SOUTH LINE OF LOT 1, BLOCK 1, A DISTANCE OF 207.44 FEET; THENCE SOUTH 74048'40" EAST, ALONG SAID SOUTH LINE Of LOT 1, AND THE SOUTH LINE OF LOT 2, BLOCK 1, A DISTANCE OF 737.54 FEET; THENCE SOUTH 0° 22'16" EAST, ALONG A LINE PARALLEL WITH SAID WEST LINE OF GOVERNMENT LOT 3, A DISTANCE OF 601.03 FEET TO A POINT IN THE SOUTH LINE OF SAID GOVERNMENT LOT 3; THENCE NORTH 89059105" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 914.35 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 3; THENCE NORTH 00022'16" WEST, ALONG SAID WEST LINE OF GOVERNMENT LOT 3, A DISTANCE OF 754.16 FEET TO SAID POINT OF BEGINNING; CONTAINING 15.000 ACRES, MORE OR LESS.

ALSO

PART OF GOVERNMENT LOT 3, SECTION 8, TOWNSHIP'110 NORTH, RANGE 21, WEST OF THE FIFTH PRINCIPAL MERIDIAN, RICE COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTHERLY LINE OF LOT 2, BLOCK 1, SUNRISE ACRES SECOND ADDITION, RICE COUNTY, MINNESOTA, SOUTH 74048'40" EAST, 295.60 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK 1; THENCE SOUTH 74048140" EAST, ALONG SAID SOUTHERLY LINE OF SAID LOT 2, BLOCK 1, A DISTANCE OF 3.29 FEET; THENCE SOUTH 48037'00" EAST, 191.70 FEET; THENCE SOUTH 12055'00" EAST, 289.00 FEET; THENCE SOUTH 48058'00" EAST 161.80 FEET; THENCE SOUTH 01043'00" EAST, 85.64 FEET TO A POINT IN THE SOUTH LINE OF SAID GOVERNMENT LOT 3; THENCE NORTH 89059'05" WEST ALONG SAID SOUTH LINE OF GOVERNMENT LOT 3, A DISTANCE OF 332.33 FEET; THENCE NORTH 00022'16" WEST, 601.03 FEET TO SAID POINT OF BEGINNING; CONTAIINING 2.674 ACRES, MORE OR LESS.

EXCEPTING THEREFROM THAT PART OF SAID GOVERNMENT LOT 3, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 3, BLOCK 1, IN "SUNRISE ACRES SECOND ADDITION, RICE COUNTY, MINNESOTA"; THENCE NORTH 74'48'40" WEST, 848.60 FEET ALONG THE SOUTH LINE OF LOTS 3, AND 2, OF SAID BLOCK 1, TO THE POINT OF BEGINNING; THENCE SOUTH 46'37' EAST, 191.70 FEET; THENCE SOUTH 12'55' EAST 210.00, FEET; THENCE NORTH 32'41'44" WEST, 402.40 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH 74'48'40" EAST 27.55 FEET ALONG THE SOUTH LINE OF SAID LOT 2, TO THE POINT OF BEGINNING;

SUBJECT TO ROADS, EASEMENTS AND RESTRICTIONS OF RECORD.

Has caused the same to be surveyed and platted as JOHNSON ADDITION and does hereby donate and dedicate to the public for public use the public ways and drainage and utility easements as created by this plat.

In witness whereof said Colin D. Johnson and Paula G. Johnson, have caused these presents to be signed this _____ day of _____, 20___.

_____ _____
Colin D. Johnson Paula G. Johnson

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20___ by Colin D. Johnson and Paula G. Johnson.

_____

Notary Public, _____ County, Minnesota

My Commission Expires: _____

SURVEYORS CERTIFICATE:

I, Timothy S. Peterson, Licensed Land Surveyor, certify that I have surveyed and platted the property described in this plat as JOHNSON ADDITION, that this plat is a correct representation of the survey, that all distances are correctly shown on the plat in feet and hundredths of a foot, that all monuments depicted on this plat have been or, will be correctly placed in the ground as shown within one year, that the outside boundary lines are correctly designated on the plat and that there are wetlands as defined in Minnesota Statutes Section 505.01 Subd. 3; and all public ways to be designated are shown thereon.

_____
Timothy S. Peterson, Land Surveyor
Minnesota License No. 45332

State of _____

County of _____

The foregoing Surveyor's certificate was acknowledged before me this _____ day of _____,20___ by Timothy S. Peterson, Land Surveyor,

_____

Notary Public, _____ County, Minnesota

My Commission Expires: _____

RICE COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, subd. 11, this plat has been reviewed and approved this_____day of_____, 20_____.

_____
Michael Fangman
Rice County Surveyor

RICE COUNTY PROPERTY TAX & ELECTIONS

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____day of _____, 20____.

_____
Denise Anderson
Property Tax & Elections Director

RICE COUNTY RECORDER

County Recorder, County of Rice, State of Minnesota

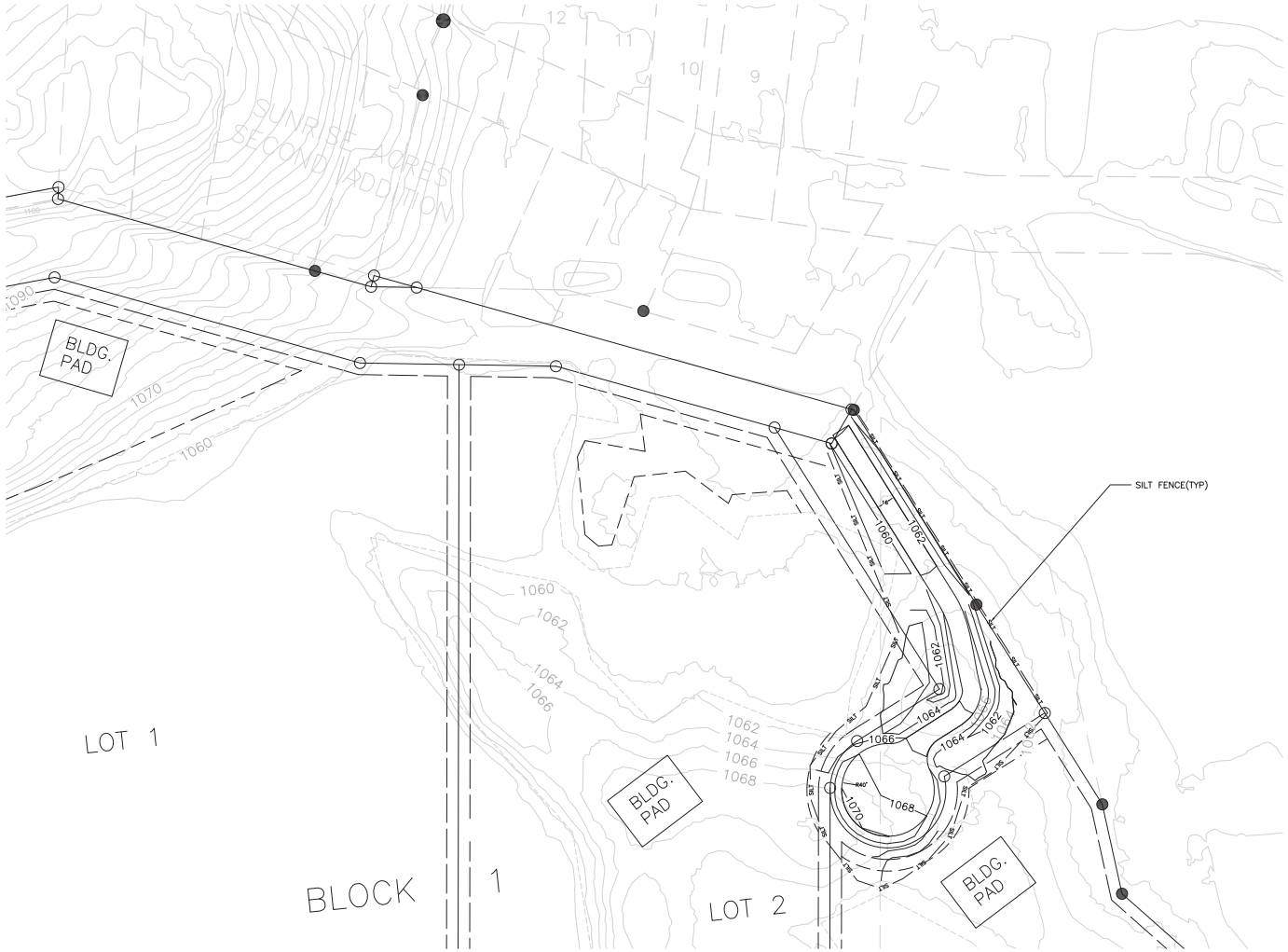
I hereby certify that this plat of JOHNSON ADDITION was filed in the office of the County Recorder for public record on this_____day of_____, 20 _____ at _____ o'clock ___M. and was duly filed as Document Number_____.

_____
Mike Fangman, Rice County Recorder

PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

SITE, GRADING AND EROSION CONTROL PLAN

PO GOVERNMENT LOT 3, SECTION 8, TOWNSHIP 110, RANGE 21
RICE COUNTY, MINNESOTA



LEGEND

- FIRE HYDRANT
- WATER VALVE
- MANHOLE
- CATCH BASIN
- POWERPOLE
- LIGHT POLE
- GUY
- TRANSFORMER
- ELECTRIC METER
- TV PEDESTAL
- TELEPHONE PEDESTAL
- AIR CONDITIONER
- HAND HOLE
- SEMAPHORE
- GAS METER
- S . . . . SANITARY SEWER
- ST . . . . STORM SEWER
- W . . . . WATERMAIN
- G . . . . UNDERGROUND GAS MAIN
- T . . . . UNDERGROUND TELEPHONE
- E . . . . UNDERGROUND ELECTRIC
- TV . . . . UNDERGROUND CABLE T.V.
- OU . . . . OVERHEAD UTILITY LINES
- IRON MONUMENT FOUND
- IRON PIPE MONUMENT SET
- 914.5 . . . . EXISTING SPOT ELEVATION
- SOIL BORING
- SIGN
- DECIDUOUS TREE
- CONFEROUS TREE
- DENOTES TREE AND BRUSH LIMITS
- DENOTES PROPOSED DRAINAGE ARROW
- (944.00). . . . DENOTES PROPOSED ELEVATION
- CS. . . . CURB STOP
- CO . . . . CLEAN OUT
- BUSH
- BG. . . . BARBECUE GRILL
- AUTO SPRINKLER
- BASKETBALL HOOP
- BENCH
- WATER SPIGOT
- TRENCH DRAIN
- MW . . MONITORING WELL
- STORM DISPATER
- SATELITE DISH
- TELEPHONE
- ELECTRIC PEDESTAL
- FLAG POLE
- GROUND LITE
- MAILBOX
- ROOF DRAIN
- TRANSMISSION TOWER
- VENT PIPE
- WELL

- DENOTES ELEC. LINE
- DENOTES FENCE LINE
- DENOTES FIBER OPTIC
- DENOTES GAS LINE
- DENOTES SANITARY SEWER
- DENOTES STORM SEWER
- DENOTES TELEPHONE LINE
- DENOTES TV LINE
- DENOTES OVERHEAD UTL.
- DENOTES WATERMAIN
- WETLAND . . . . DENOTES WETLAND
- DENOTES RAIL ROAD

BLOCH ENGINEERING

BLOCH ENGINEERING, PLLC
blochengineering.com

32210 XEON ST NW
CAMBRIDGE, MN 55008

krystle@blochengineering.com

JOB NO. 23-06

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

KRYSTLE L. BLOCH

4-14-2023 — DATE

49893 — LIC. NO.

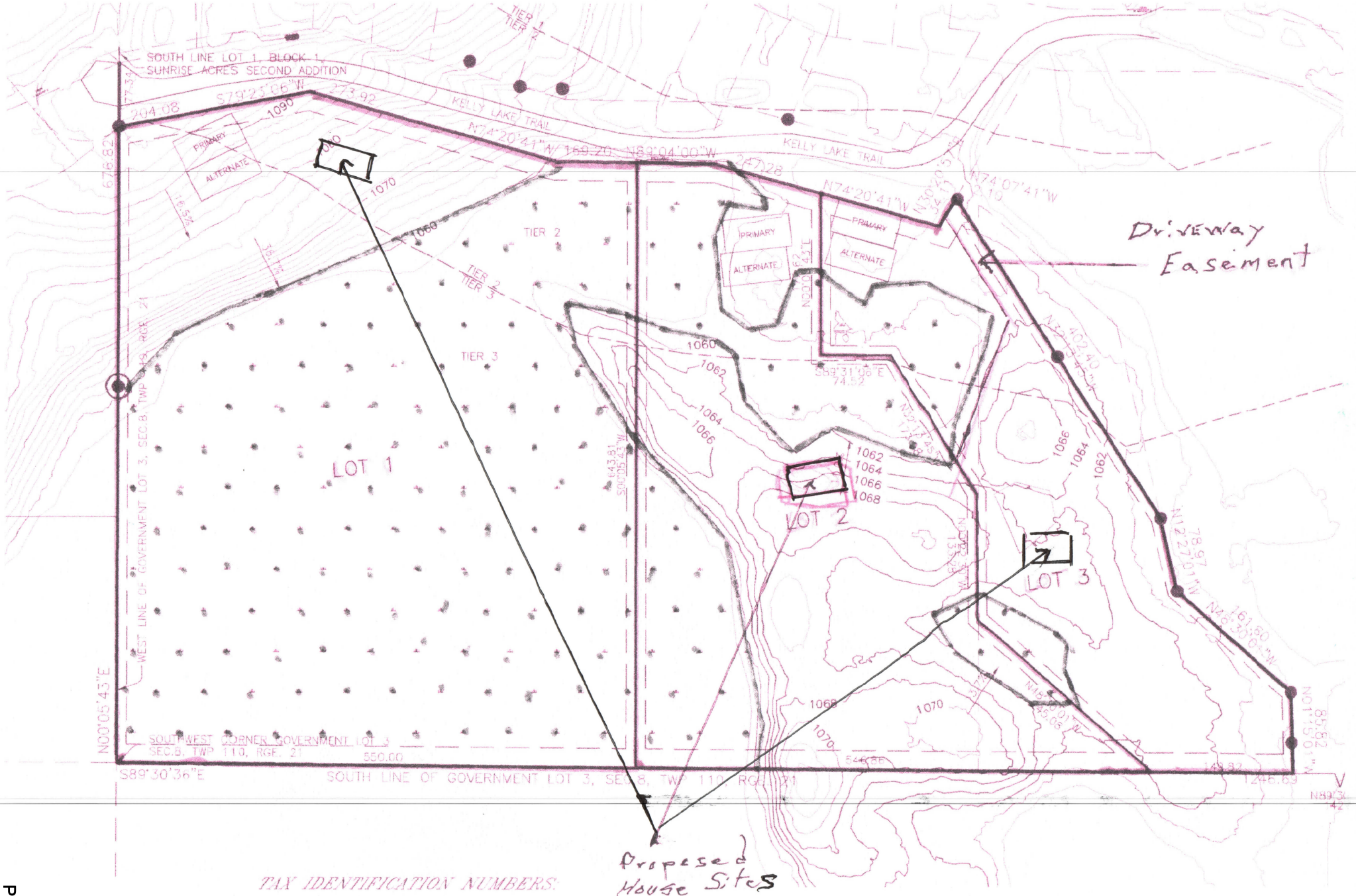
JOHNSON DEVELOPMENT
KELLY LAKE ROAD
FARIBAULT, MN

REVISIONS			
NO.	DATE	BY	DESCRIPTION

1 inch = 50 feet

0 50 100

Scale in Feet



TAX IDENTIFICATION NUMBERS:

1008150002
NO ADDRESS ASSIGNED
FARIBAULT, MN

Explanation:

Lots 1 & 3 have no problems meeting setback requirements for proposed building sites. However, the wetlands which divide Lot 2 had to be addressed, since the DNR will not allow any fill or structures to be placed across the wetlands. To address this problem and to provide access to the south half of Lot 2 and Lot 3, a permanent driveway easement will be provide across Lot 3. The shared driveway will be placed along the east portion of Lot 3around the wetlands and onto the buildable section on the south portion of Lot 2.

ENGINEERS ESTIMATE FOR:
KELLY LAKE COURT
FARIBAULT, MN
4/14/2023

ITEM NO.	DESCRIPTION	NOTES	QUANTITY		UNIT	UNIT PRICE	AMOUNT
	CLEAR AND GRUB		0.60		AC	$5,000.00	$3,000.00
							$3,000.00
	STREET CONSTRUCTION AND EXCAVATION						
2106.507	EXCAVATION - COMMON		930.00		CY	$6.00	$5,580.00
2211.507	AGGREGATE BASE CLASS 5 (100% CRUSHED) (6")		190.00		CY	$40.00	$7,600.00
							$13,180.00
	EROSION CONTROL AND LANDSCAPING						
2573.503	SILT FENCE, MS		960.00		LF	$3.50	$3,360.00
2575.505	SEEDING		0.40		AC	$9,000.00	$3,600.00
							$6,960.00
						TOTAL PROJECT	**$23,140.00**

P.O. BOX 246
680 NW 24TH STREET
FARIBAULT, MN. 55021
PHONE: 507-334-3901
FAX: 507-334-0114

Job Code	N3-155 Faribault Kelly Lake Court
Job Description	Faribault Kelly Lake Court
Job City	Faribault
Job State	MN
Job Country	United States

Proposal

Line No.	Description	Quantity	Unit of Measure	Unit Price	Total Price
	Subtotal Description				
1	CLEAR & GRUB	0.60	AC	19,950.00	11,970.00
2	COMMON EXCAVATION	930.00	CY	15.00	13,950.00
3	CLASS 5 AGGREGATE BASE 6"	190.00	CY	45.00	8,550.00
4	SEEDING	0.40	AC	11,500.00	4,600.00
				Subtotal:	39,070.00
				GRAND TOTAL:	39,070.00

Proposal Certification

Submitted By: MARK MAHOWALD
ESTIMATOR/PROJECT MANAGER
507-323-0576

Signed: _____

TIMM'S TRUCKING & EXCAVATING
24366 HOLLAND AVE.
MORRISTOWN, MN. 55052
Ph: 507-685-2222 FAX: 507-685-2367
Email: rtimm@timmstrucking.com

DATE: 4/13/2023

To: Colin Johnson

SUBJECT Site work
Project: Kelly Lake Court
Parking lot addition

Proposal for site work:

Description	Quantities	Unit	Price	Total
Clear & Grub (haul away and dispose)	0.6	AC	4,466.67	2,680.00
Cut	930	CY	3.339	3,104.84
6" Class 5	190	CY	33.01	6,272.00
Seeding (hydro mulch)	0.4	AC	8,518.40	3,407.36
Silt Fence	900	LF	2.50	2,250.00
				$17,714.20

Proposal does not include and is not limited to:
Permit, layout staking, moving/repairing utilities,
soil corrections, sub-grade rock,

Note: Proposal may be withdrawn by us if not accepted within 30 days. All materials are guaranteed to be as specified and the above work to be performed in accordance with drawings and specifications and completed in substantial workmanlike manner.
All payments to be made per monthly draw. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate.

Acceptance of Proposal
The above prices, specifications and conditions are satisfactory and are hereby accepted.
You are authorized to do the work as specified. Payment will be made as outlined above.
Date_____

Signature_____ Signature_____

QUOTE

R.A.W. Construction

17575 Echo Ave
FARIBAULT, MN. 55021
p. 507-334-2870 f. 507-334-5810 m. 507-323-5593
jon@rawconstructionmn.com

DATE March 31, 2023
CUSTOMER ID
EXPIRATION DATE **30 Days After above Date**

TO
Colin Johnson

SALESPERSON	JOB
JON WINJUM	township road

ITEM	DESCRIPTION		QUANTITY	UNIT PRICE	LINE TOTAL
1.00	Silt fence	LF	800	$ 3.00	$ 2,400.00
	seeding	AC	1	$ 8,000.00	$ 4,000.00
	Clearing & Grubing, building roadway, shaping ditches				$ -
	placing gravel, packing	LS	1	$ 7,500.00	$ 7,500.00
	Colin discount	LS	1	$ (3,500.00)	$ (3,500.00)
	Trucking of gravel	LS	1	$ 2,000.00	$ 2,000.00
	Colin discount	LS	1	-1000	-1000
					$ -
	Gravel from Witties	TN	342	$ 8.00	$ 2,736.00
					$ -
NOTES:	I wouldn't do the silt fence unless have to.				

TOTAL DISCOUNT	
SUBTOTAL	
SALES TAX	
TOTAL	$ 14,136.00

Quotation prepared by: Jon Winjum

To accept this quotation, sign here and return: _____

Wells Township, Rice County, MN.

Home Agenda Meetings Board Policies Postings

December 12,2022 Meeting Minutes

Jim Zahn March 13, 2023 Meeting Minutes

Wells Township Board Meeting Minutes December 12, 2022

Jeff LaCanne called the meeting to order at 7:00 PM. Members present were Jeff LaCanne, Rich Cap, Colin Johnson, Flavia Berg and James Zahn.

Also present were Roger Stoick, Steve Stoick, Jesse Thomas, Vicky Teich, Michele Ernste and Lee Ann Lechtenberg.

November minutes were read by Jim Zahn. Colin Johnson moved to approve the minutes. Rich Cap seconded the motion and it passed.

Flavia Berg read the Treasurer's report for November. Colin Johnson moved to accept the report and Rich Cap seconded the motion and it

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Recent Posts

- February 13, 2023
- January 9,2023 Meeting Minutes
- December 12,2022 Meeting Minutes
- November 14, 2022 Meeting Minutes
- October 10,2022 Meeting Minutes

Categories

passed.

The bills for the month were reviewed. Colin Johnson moved to approve the bills for payment. Rich Cap seconded the Motion and it passed.

Issues from the Floor: None

Old Business:

Bonds were issued with the State Bank to fund the unpaid portion of the Chappuis trail project.

New Business:

A driveway request was discussed. Mr. Stoick was present as were members of the Wells Lake Way and Court subordinate service district. Colin Johnson moved we table the request to the next meeting to give time to review with our attorney. Rich Cap seconded the motion and it passed.

March 2023 township elections were discussed.

Jeff LaCanne is the supervisor whose term is up and Flavia Berg's term as treasurer is also up. The period for filing for office is from January 3, 2023 thru January 17, 2023.

Colin Johnson moved to pass resolution 2022- designating Rice County property Taxes and Elections handle absentee ballots for the township election. Rich Cap seconded the motion and it passed.

Colin Johnson has a concern with his parcel #1008150002. He is replatting the parcel in 3 lots. The County is requiring a road on the plat. The township requires a 66 foot right of way be platted. Rich Cap moved to allow a cart way to be built on the right of way until the township deems necessary that it be upgraded to a road. Then the owners will be required to bring it up to township standards at the land owner's expense. Jeff LaCanne seconded the motion and it passed.

Jeff LaCanne moved to adjourn the meeting, Colin Johnson seconded the motion and it passed

Disclaimer

Every attempt has been made to ensure that the information contained on this web site is valid at the time of publication. Wells Township reserves the right to make any changes at any time without notice. Wells Township disclaims any and all liability for damages incurred directly or indirectly as a result of errors, omissions or discrepancies.

← November 14, 2022 Meeting Minutes

January 9,2023 Meeting Minutes →

La Roche's INC.
THE COMPLETE SEPTIC SYSTEM COMPANY!
State Certified #802
Faribault: 507-334-7745
South Metro & Northfield : 507-663-0868

1105 East 160th Street - Faribault, MN 55021 www.LaRoches.com

RE: PID 10.08.1.50.002
Lot 3
Colin Johnson
5385 Kelly Lake Trail
Faribault/Rice County

To whom it may concern,

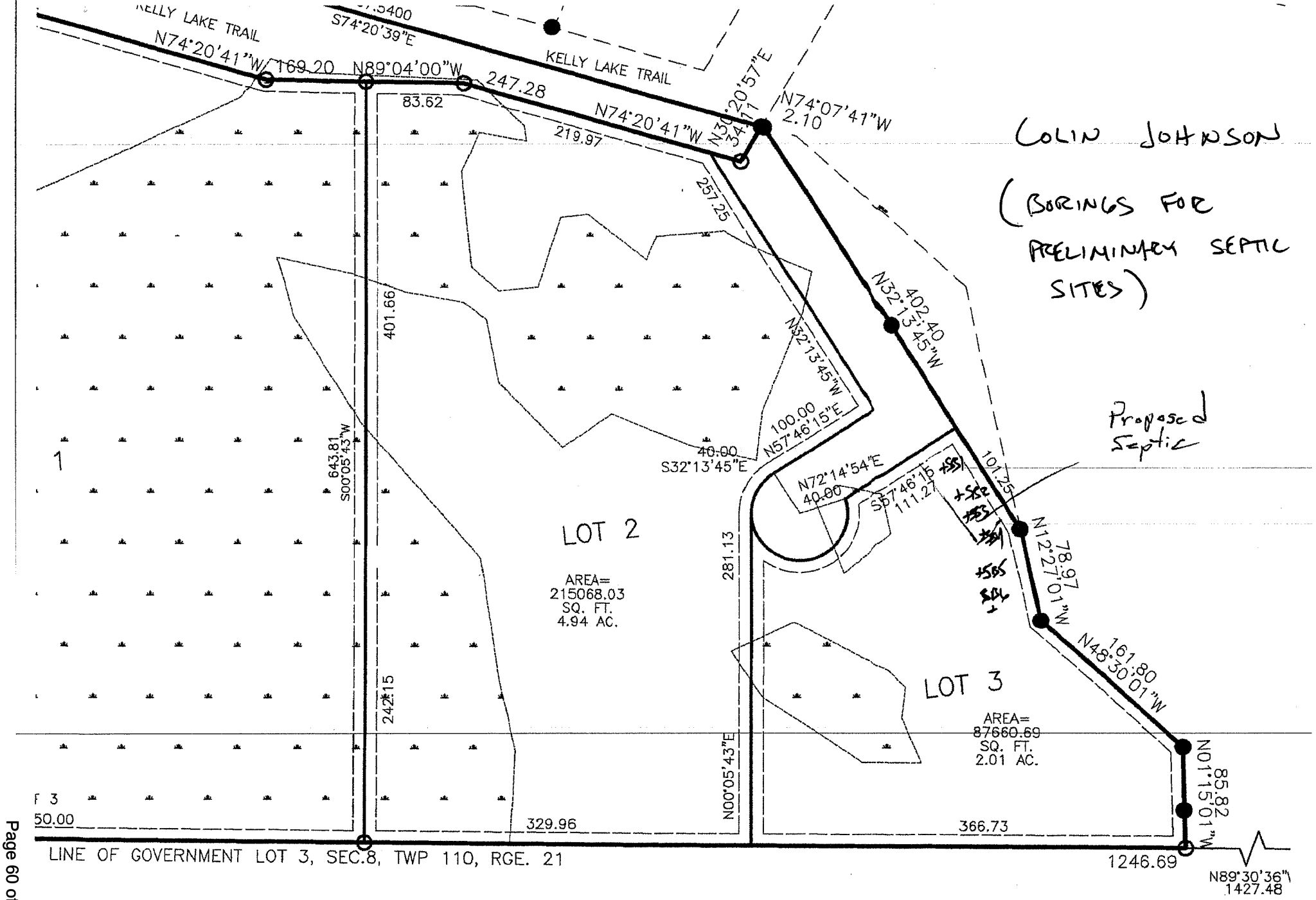
On November 30, 2022, LaRoche's conducted soil borings on the property listed above. The purpose of the visit was to conduct soil borings to determine if the site can support two Type 1 septic systems: a primary and secondary site.

We conducted six soil observations at this lot. Our borings show the restrictive layer at 12-17 inches on this lot. This would support and require two type 1 mound septic system sites.

The soil boring logs are included as well as a site map showing the locations of the borings. The web soil survey map of the property and surrounding properties are included.

Respectfully,

George LaRoche
LaRoche's Sewer, Drain, and Septic Services
License #802


KELLY LAKE TRAIL
N74°20'41"W
169.20
N89°04'00"W
247.28
S74°20'39"E
KELLY LAKE TRAIL
N74°20'41"W
N30°20'57"E
34.11
N74°07'41"W
2.10
83.62
219.97
257.25
401.66
643.81
S00°05'43"W
N32°13'45"W
100.00
N57°46'15"E
40.00
S32°13'45"E
402.40
N32°13'45"W
Proposed Septic
N72°14'54"E
40.00
S57°46'15"E
111.27
101.25
N12°27'01"W
78.97
N48°30'01"W
161.80
N01°15'01"W
85.82
281.13
N00°05'43"E
242.15
LOT 2
AREA=
215068.03
SQ. FT.
4.94 AC.
LOT 3
AREA=
87660.69
SQ. FT.
2.01 AC.
1
F 3
50.00
329.96
366.73
LINE OF GOVERNMENT LOT 3, SEC.8, TWP 110, RGE. 21
1246.69
N89°30'36"W
1427.48
COLIN JOHNSON
(BORINGS FOR PRELIMINARY SEPTIC SITES)

UNIVERSITY OF MINNESOTA

Onsite Sewage Treatment Program Soil Boring Log

Boring # SB1

Client/ Address: COLIN JOHNSON LOT #3

Legal Description/GPS: 10-058-1-50-002

Date: 11-30-22

method: ☒ soil boring ☐ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock
(circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope Toe Slope **Slope Shape:** L
(circle one)

Vegetation: WOODS **Soil Survey Map Unit(s):** 1408B ANGUS KICKERT **Slope (%):** 3% 44 34931

Weather conditions/Time of Day: CLEAR 4PM ☐a.m. ☒p.m. **Elevation:** 1079' 93 36922

Depth (in)	Texture	Coarse Frag %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Structure: Consistence
0-18"	TOPSOIL (LOAM) L	–	10YR3/2	10YR5/1	(Concentrations) Depletions Gleyed	REDOX @ 17"	(Granular) Platy Blocky Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: _____

UNIVERSITY OF MINNESOTA

Onsite Sewage Treatment Program Soil Boring Log

Boring # SB2

Client/ Address: COLIN JOHNSON LOT #3

Legal Description/GPS: 10-08-1-50-002 **Date:** 11-30-22

method: ☑ soil boring ☐ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock
(circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope Toe Slope **Slope Shape:** LL
(circle one)

Vegetation: WOODS **Soil Survey Map Unit(s):** 1408B ANGUS KILKENNY **Slope (%):** 3% 44 34926 93 36919

Weather conditions/Time of Day: CLEAR 4PM ☐a.m. ☒p.m. **Elevation:** 1079'

Depth (in)	Texture	Coarse Frag %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Structure: Consistence
0-19"	TOPSOIL (LOAM) L	-	10YR3/2	10YR5/1	(Concentrations) (Depletions) Gleyed	REDOX C 17"	(Granular) Platy Blocky Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: _____

UNIVERSITY OF MINNESOTA

Onsite Sewage Treatment Program Soil Boring Log

Boring # SB3

Client/ Address: COLIN JOHNSON LOT #3

Legal Description/GPS: 10-08-1-B-002

Date: 11-30-22

method: ☒ soil boring ☐ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock
(circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope Toe Slope **Slope Shape:** LL
(circle one)

Vegetation: WOODS **Soil Survey Map Unit(s):** 1408 B ANGUS KILKENNY **Slope (%):** 3% 44 34928

Weather conditions/Time of Day: CLEAR 4PM ☐ a.m. ☒ p.m. **Elevation:** 1079' 93 36920

Depth (in)	Texture	Coarse Frag %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Consistence
0-18"	TOPSOIL (LOAM) L	-	10YR 3/2	-	Concentrations Depletions Gleyed	-	(Granular) Platy Blocky Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
18-22"	CLAY LOAM CL	-	10YR 4/1	10YR 5/1	(Concentrations) Depletions Gleyed	REDOX C 18"	(Granular) Platy Blocky Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: _____

UNIVERSITY OF MINNESOTA

Onsite Sewage Treatment Program Soil Boring Log

Secondary Site
Boring # SB4

Client/ Address: COLIN JOHNSON LOT # 3

Legal Description/GPS: 10-08-1-D-002 **Date:** 11-30-22

method: ☒ soil boring ☐ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock
(circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope Toe Slope **Slope Shape:** L
(circle one)

Vegetation: WOODS **Soil Survey Map Unit(s):** 1408 ANGUS KILKENNY **Slope (%):** 3% 44 34915

Weather conditions/Time of Day: CLEAR 4p ☐a.m. ☒p.m. **Elevation:** 1079' 93 36917

Depth (in)	Texture	Coarse Frag %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Structure: Consistence
0-16"	TOPSOIL (LOAM) L	–	10YR 3/2	10YR 5/1	(Concentrations) Depletions Gleyed	REDOX @ 12"	(Granular) Platy Blocky Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: _____

UNIVERSITY OF MINNESOTA

Onsite Sewage Treatment Program Soil Boring Log

Secondary Site

Boring # SB5

Client/ Address: COLIN JOHNSON LOT #3

Legal Description/GPS: 10-08-1-80-002 **Date:** 11-30-22

method: ☒ soil boring ☐ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock
(circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope Toe Slope **Slope Shape:** LL
(circle one)

Vegetation: WOODS **Soil Survey Map Unit(s):** 1408B ANGUS KILKENNY **Slope (%):** 30% 44 34 913

Weather conditions/Time of Day: CLEAR 4@ ☐a.m. ☒p.m. **Elevation:** 1079' 93 36914

Depth (in)	Texture	Coarse Frag %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Consistence
0-18"	TOPSOIL (LOAM) L	-	10YR 3/2	10YR 5/1	(Concentrations) Depletions Gleyed	REDOX @ 13"	(Granular) Platy Blocky Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: _____

UNIVERSITY OF MINNESOTA

Onsite Sewage Treatment Program Soil Boring Log

Alternate Site

Boring # SB6

Client/ Address: COLIN JOHNSON LOT #3

Legal Description/GPS: 10-08-1-3-002

Date: 11-30-22

method: ☒ soil boring ☐ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock
(circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope Toe Slope **Slope Shape:** LL
(circle one)

Vegetation: WOODS **Soil Survey Map Unit(s):** 1408B ARGUS KILKENNY **Slope (%):** 3% 44 31914 93 36913

Weather conditions/Time of Day: CLEAR 4 ☐a.m. ☒p.m. **Elevation:** 1079'

Depth (in)	Texture	Coarse Frag %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Structure: Consistence
0-18"	TOPSOIL (LOAM) L	—	10YR 3/2	10YR 5/1	Concentrations Depletions Gleyed	REDOX C13"	Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: _____

Soil Map—Rice County, Minnesota

Map Scale: 1:6,220 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 300 600 1200 1800

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

5585 Keighley Trail
Faribault

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
106C2	Lester loam, 6 to 10 percent slopes, moderately eroded	4.9	3.1%
106D2	Lester loam, 10 to 16 percent slopes, moderately eroded	1.6	1.0%
106E	Lester loam, 10 to 22 percent slopes	7.7	4.9%
134	Okoboji silty clay loam, 0 to 1 percent slopes	3.0	1.9%
239	Le Sueur loam, 1 to 3 percent slopes	2.4	1.5%
414	Hamel loam, 0 to 2 percent slopes	2.6	1.7%
783C2	Lester-Kilkenny complex, 6 to 10 percent slopes, moderately eroded	14.9	9.5%
783D2	Lester-Kilkenny complex, 10 to 16 percent slopes, moderately eroded	9.4	6.0%
783E	Lester-Kilkenny complex, 16 to 22 percent slopes	1.3	0.8%
783F	Lester-Kilkenny complex, 22 to 40 percent slopes	4.3	2.8%
1058	Muskego and Houghton soils, 0 to 1 percent slopes	49.8	31.6%
1080	Klossner, Okoboji and Glencoe soils, ponded, 0 to 1 percent slopes	4.5	2.9%
1362B	Angus loam, 2 to 6 percent slopes	9.5	6.0%
1367	Derrynane clay loam, 1 to 3 percent slopes	1.0	0.6%
1408B	Angus-Kilkenny complex, 2 to 6 percent slopes	6.4	4.1%
W	Water	34.3	21.7%
Totals for Area of Interest		**157.8**	**100.0%**

From:	Piepho, Todd (DNR)
To:	Cassy Klumb
Cc:	Trent McCorkell; Brad Behrens; Jarett Spitzack
Subject:	RE: Rice Co BOA & PC 05/25/2023 Mtg Notices
Date:	Monday, May 15, 2023 12:01:42 PM
Attachments:	image001.png Johnson Wetland map.pdf

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Morning Trent and Cassy,
Just a couple comments on the provided proposals;

Grossmann-Structures should be limited to outside the shore impact zone-1/2 of the structure setback in this case 75'/2=37.5'.

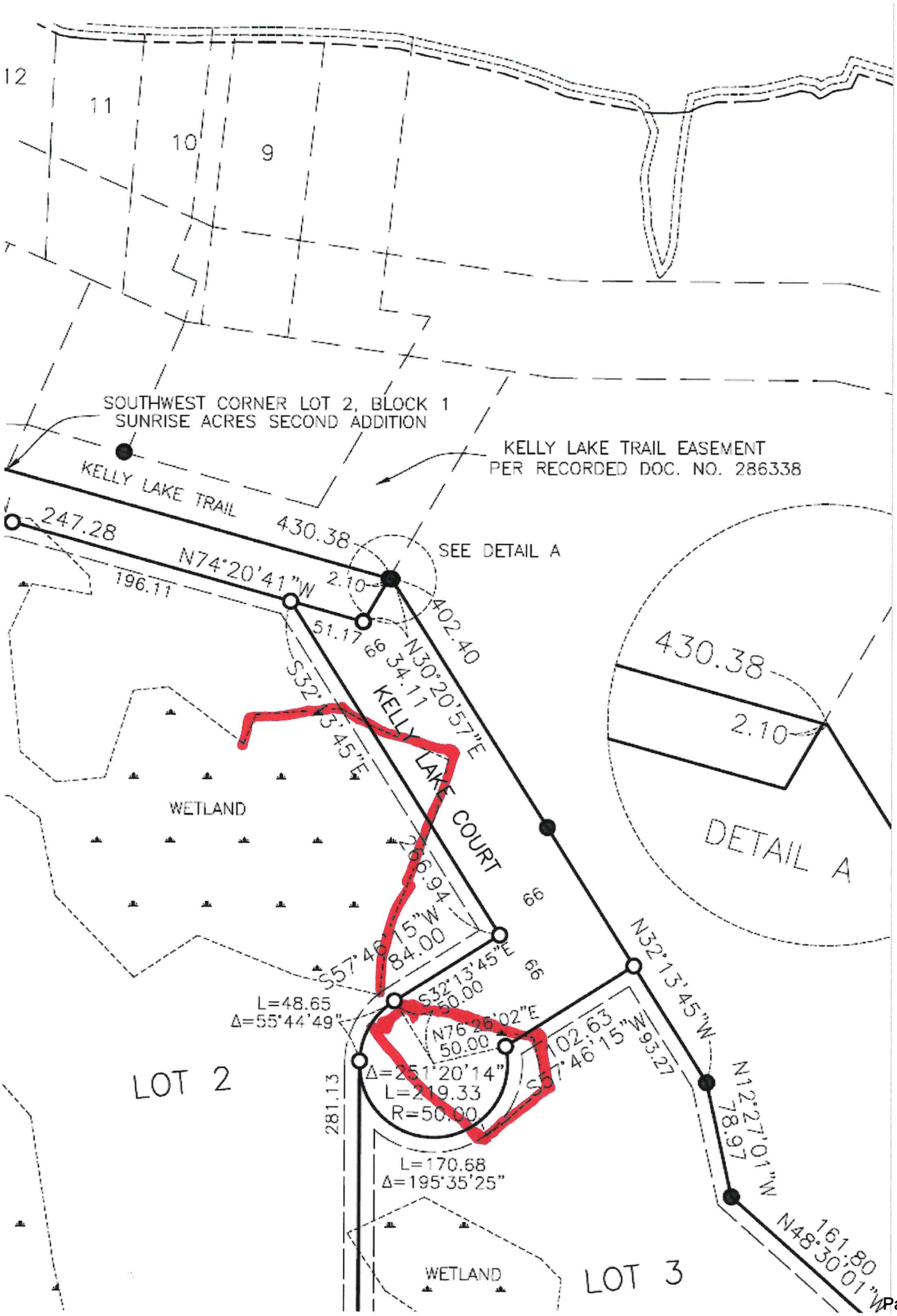
Whipple-Assuming this is a variance for impervious surface limitations? If the impervious surface limit of 25% is exceeded, some sort of water retention should be installed onsite to capture the additional amount of surface water over what is allowed. Examples include rain gardens, or large bulk tanks to store and use water in the future on flower beds/gardens etc. These items should be sized accordingly by an engineer to allow storage of the water for a period of time to slow the direct flow to the lake. If onsite storage is not possible a buffer of native trees/shrubs/grasses should be included as a condition to the permit to be installed the length of the shoreline, minus an area to access a dock or beach. This will help water infiltrate the soil before reaching the lake.

Johnson-Map is attached. It appears they still have public water wetland impacts-per the design submitted with the application. No impacts to the PWW will be permitted. Along with that a silt fence should be installed around the perimeter of the wetland when work is taking place to stop sediment from reaching the wetland. I believe this has been mentioned several times on this one, maybe an old drawing was submitted?

Todd Piepho
Area Hydrologist | Ecological and Water Resources

Minnesota Department of Natural Resources
50507 Sakatah Lake State Park
Waterville, Mn 56096
Cell Phone:1-507-421-1991
Email:Todd.Piepho@state.mn.us

DEPARTMENT OF NATURAL RESOURCES



doc20230512151164...
Johnson Final Plat ...
4 / 13
300%

Wells Twp, Rice Co. MN

N W E S

0 400 Feet

Acorn Environmental Consultants, Inc.
8040 Stevens Avenue South, Bloomington, Minnesota 55420
Phone/text: (952) 240-6227
acornoak@q.com www.AcornEnvironmental.com

Figure 5

Wetland Delineation (On-Site)

Reviewed By:	Date:
TRB	07-03-2022
Project Name:	Project Number:
220430	211005

From: Jarett Spitzack
To: RCPlanningZoning
Subject: Colin Johnson Final Plat
Date: Friday, May 12, 2023 3:50:22 PM
Attachments: doc20230512154453.pdf

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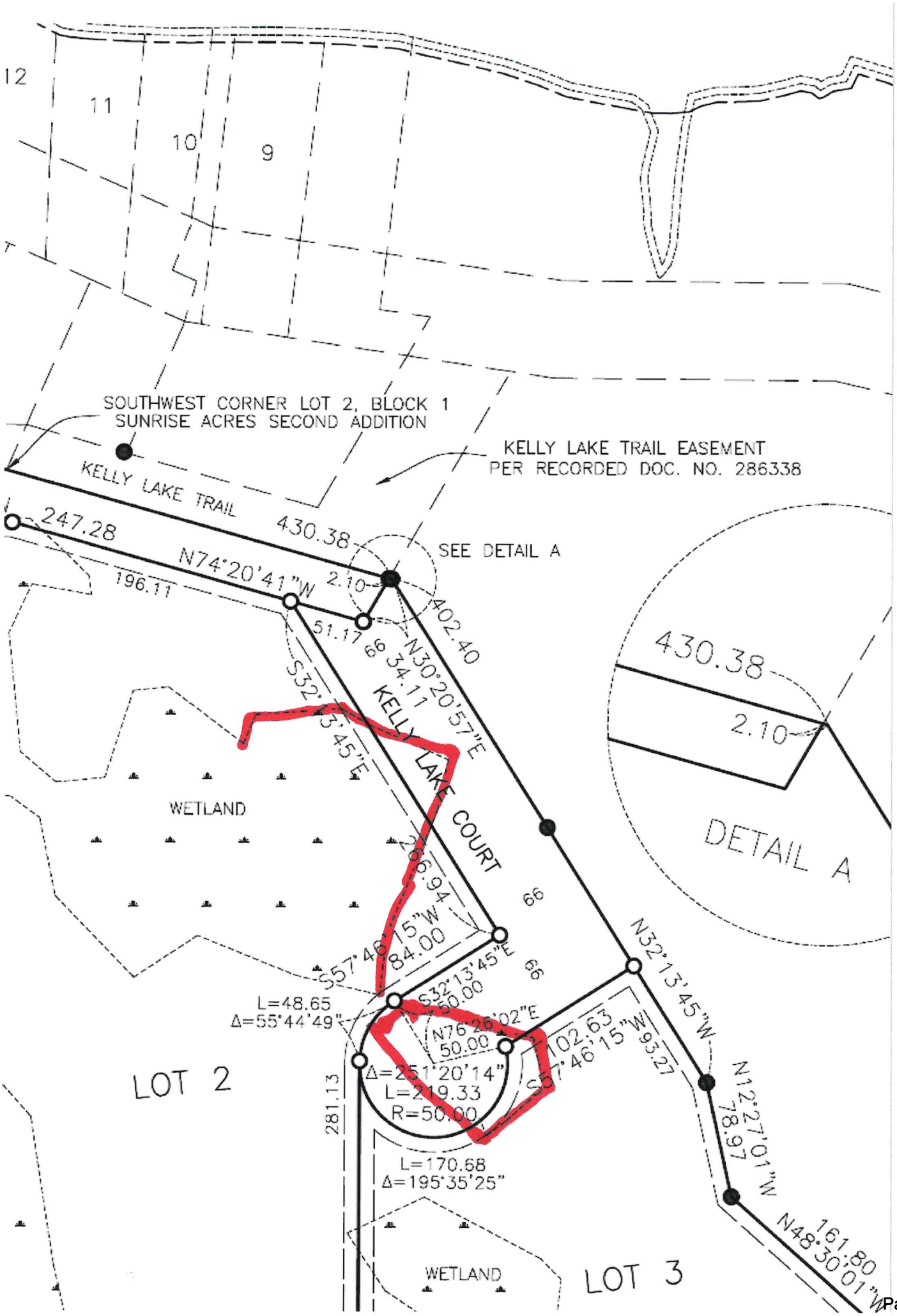
Good afternoon,

In regards to the Colin Johnson Final Plat, it appears he is still proposing impacts to one of the WCA regulated wetlands on the site. The impacts would not be allowed and would be considered a violation of the Wetland Conservation Act unless an approved exemption or replacement plan is issued. Mr. Johnson can reach out if he has any additional questions. Attached is a map that shows the delineated wetlands in relation to the driveway plans. Thanks,

Jarett

Jarett Spitzack
Resource Specialist
1810 30th St. NW
Faribault, MN 55021
e: Jarett.Spitzack@riceswcd.org
O: (507) 332-5408
D: (507) 332-7418 ext. 125



doc20230512151164...
Johnson Final Plat ...
4 / 13
300%

Wells Twp, Rice Co. MN

N W E S

0 400 Feet

Acorn Environmental Consultants, Inc.
8040 Stevens Avenue South, Bloomington, Minnesota 55420
Phone/text: (952) 240-6227
acornoak@q.com
www.AcornEnvironmental.com

Figure 5

Wetland Delineation (On-Site)

Reviewed By:	Date:
TRB	07-03-2022
Project Name:	Project Number:
220430	211005

From: Schnell, Tracy (DOT)
To: RCPlanningZoning
Cc: Wayne, Kurt (He/Him/His) (DOT); Schnell, Tracy (DOT)
Subject: Rice County Minnesota Board of Adjustment Items
Date: Friday, May 19, 2023 12:12:57 PM
Attachments:

[This message was received from an external source. Do not click links or open attachments unless verified. Please report all suspicious emails to Rice County IT using the Phishing Alert button.]

These proposals appear to have no significant impact on MnDOT roadways and are acceptable to MnDOT.

Variance/Drager - Section 15, Forest Township

Variance/Whipple- Section 15, Wells Township

Variance/Grossman - Section 31, Forest Township

Conditional Use Permit/Lindenfelser

Final Plat/Johnson - Section 8, Wells Township

Waiver of Plat/Schwartz - Section 30, Morristown Township

Conditional Use Permit/Lynch- Section 26, Webster Township

Waiver of Plat/Olson - Section 5, Wheatland Township

Thanks,

Tracy Schnell
Senior Planner | District 6

Minnesota Department of Transportation
2900 48th Street NW
Rochester, MN 55901
C: 507-259-3852
mndot.gov/

From: Trent McCorkell
To: "COLIN Johnson"
Cc: Cassy Klumb; Laurie Johnson
Subject: RE: Final Plat
Date: Wednesday, May 24, 2023 3:17:14 PM

Thanks Colin I will relay your tabling request to the Planning Commission.

Trent McCorkell, Rice County Zoning Administrator
320 3rd ST NW
Faribault, MN 55021
507-332-6168

From: COLIN Johnson <Colin_Johnson_48@msn.com>
Sent: Wednesday, May 24, 2023 3:16 PM
To: Trent McCorkell <Trent.McCorkell@RiceCountyMN.gov>
Subject: Final Plat

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Trent,
Due to changes we need to make to avoid a conflict with an existing wetland We would ask to postpone our application until the next zoning board meeting. We need time to relocate the turnaround 34 feet to the SW and redraw the plat.
Colin Johnson

Sent from Mail for Windows

RICE COUNTY
ENVIRONMENTAL SERVICES DEPARTMENT
MEMORANDUM

TO: Planning Commission
FROM: Trent McCorkell, Rice County Zoning Administrator
HEARING DATE: May 25, 2023
SUBJECT: Schwartz – Waiver of Plat, TDR

SUMMARY OF THE APPLICATION
Corey Schwartz, on behalf of landowner Vincent Schwartz et al, has applied for a Waiver of Plat to create a 2.5-acre building lot through the use of a Transfer Development Right (TDR). The proposed 2.5-acre building site is being separated from the current 80-acre site with the TDR coming off of 35-acres from the south end of the current property.

Application Data

APPLICANT: Corey Schwartz

LOCATION: Part of the NW1/4 of the SW1/4, Section 30, Morristown Township, Rice County, Minnesota. PID#: 13.30.3.25.001.

ZONING: The property is Zoned A, Agricultural.

Lot Area/Dimensions

	Lot Area	**Lot Width**	**Lot Depth**	**¼ ¼ CER(s)**
Proposed TDR receiving parcel	2.5-acres	50-ft to 259-ft	300-ft plus	82
Current Parcel	80-acres approximately	1/4 mile	1/2-mile	82, 50
TDR sending area(s)	35-acres approximately	1/4 mile approx.	1/4 mile approx.	50
Requirements for TDR receiving Parcels	Min 1.0-acre to Max 2.5-acres	50-ft Minimum	N/A	N/A

Location
The receiving site is located on the south side of Morristown Blvd., approximately 3.5-miles west of the City of Morristown.

Septic System
Soils information has been submitted showing two suitable potential septic sites.

Roads and Access
A new driveway from Morristown Blvd (State Highway 60) has been approved for access.

Existing Site Conditions
Photos of the property will be provided at the meeting

Applicable Zoning Ordinance Sections
Sections 509.04, 520, 521 and 523

If approved, conditions might include:

1. The new 2.5-acre Transfer Development Right (TDR) receiving parcel shall contain one single family dwelling.

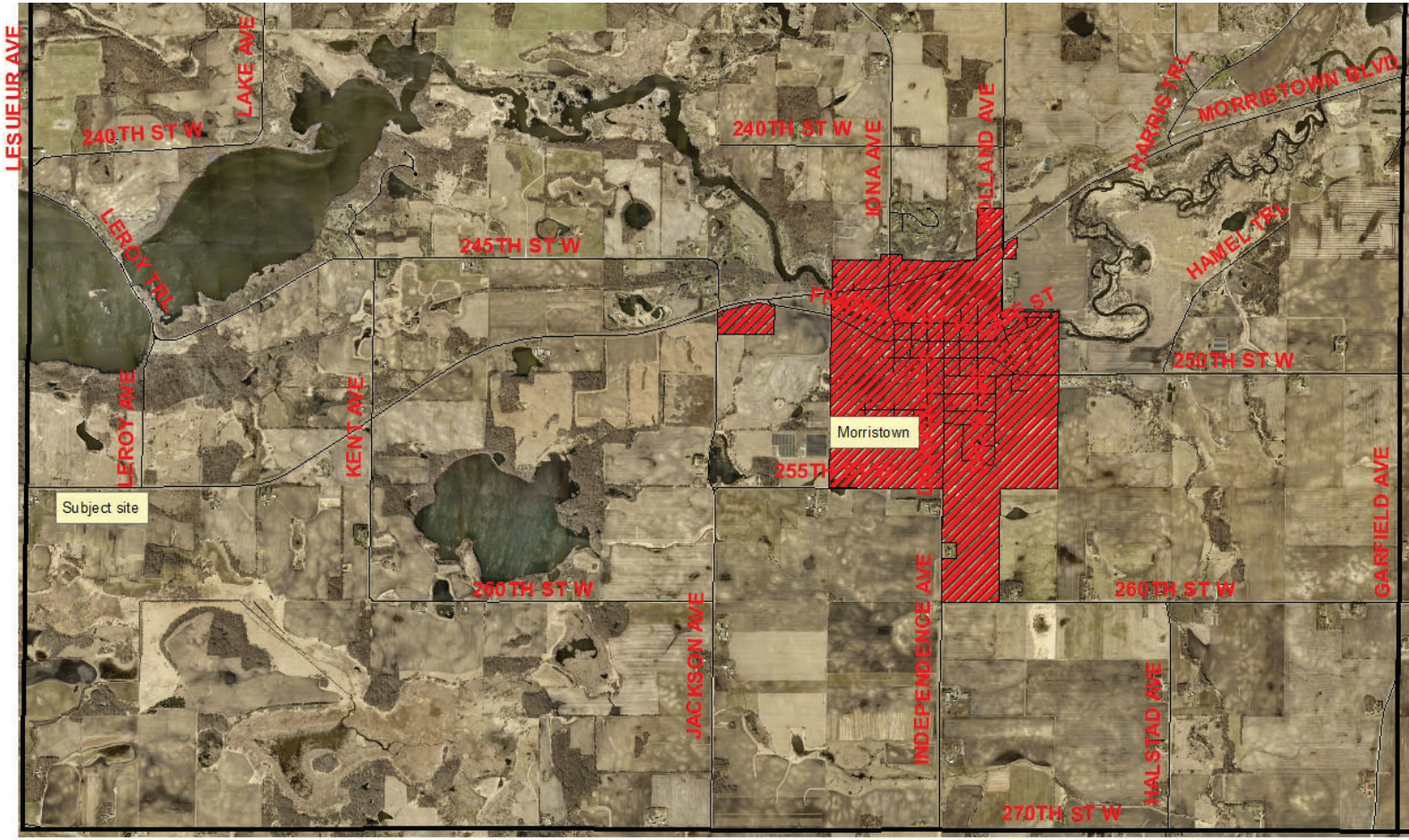
2. Any new construction on the parcels is to adhere to all Rice County codes and ordinances.

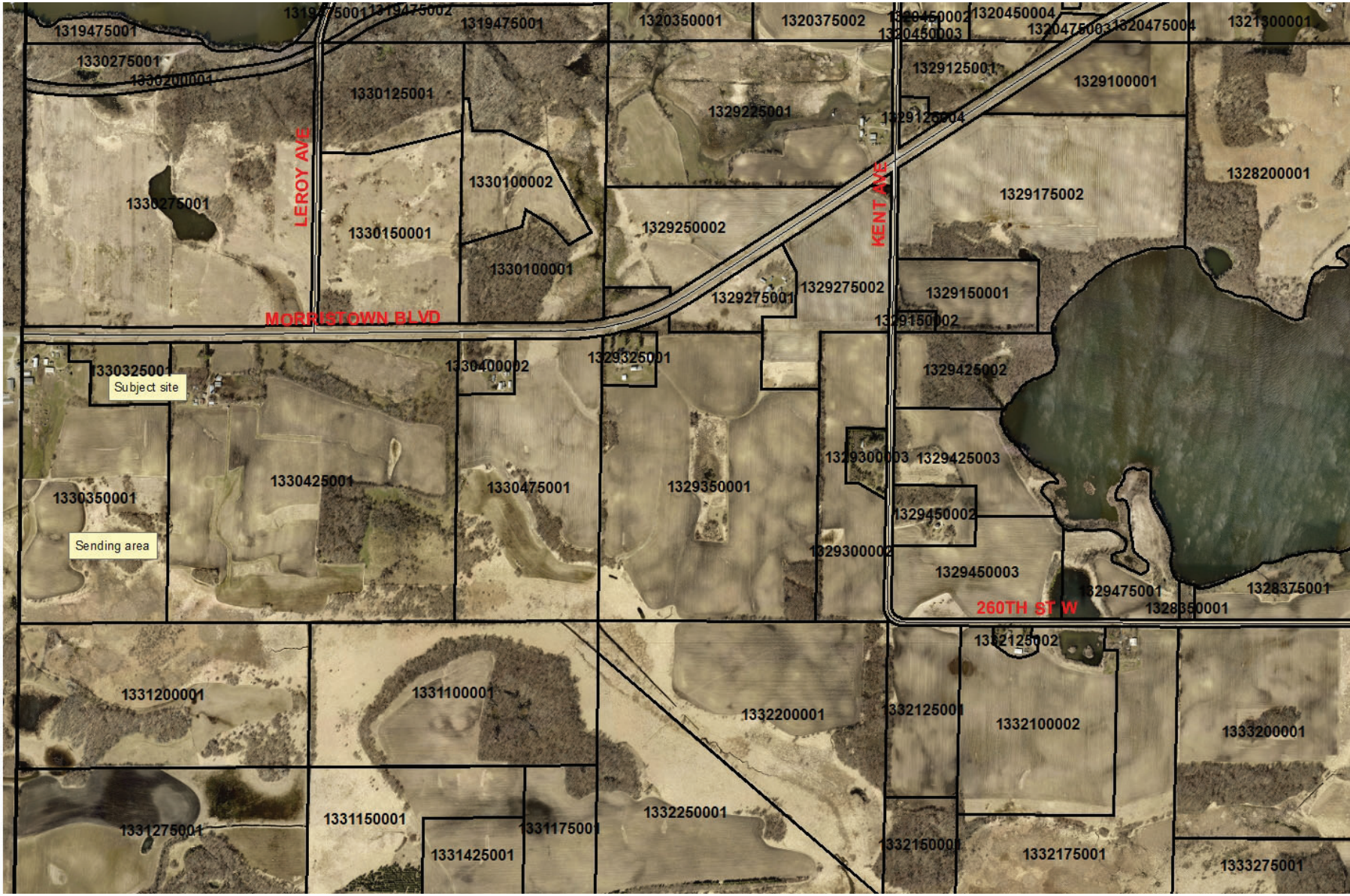
3. The remaining parcel and TDR receiving parcel shall not be further subdivided or combined with other land(s) unless approved under the Rice County subdivision regulations.

4. The conservation easement for the TDR sending area shall be recorded at the same time or before the new parcel is recorded.

5. Within one year of this approval the applicant shall record a new deed, at the Rice County Recorders Office, containing just the TDR receiving parcel.

6. In-lieu park dedication fee of $500 shall be paid prior to recording of the new parcel.


LESUEUR AVE
LAKE AVE
240TH ST W
240TH ST W
IONA AVE
HARRIS TRL
MORRISTOWN BLVD
LEROY TRL
245TH ST W
HAMEL TRL
250TH ST W
LEROY AVE
KENT AVE
Morristown
Subject site
260TH ST W
260TH ST W
JACKSON AVE
INDEPENDENCE AVE
GARFIELD AVE
HALSTAD AVE
270TH ST W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1329225001
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1328200001
LEROY AVE
1330275001
1330100002
1329175002
1330150001
1329250002
KENT AVE
1330100001
1329275001
1329275002
1329150001
MORRISTOWN BLVD
1329150002
1330325001
Subject site
1330400002
1329325001
1329425002
1329300003
1329425003
1330425001
1330475001
1329350001
1330350001
Sending area
1329450002
1329300002
1329450003
1329475001
1328375001
260TH ST W
1328350001
1332125002
1331200001
1331100001
1332200001
1332125001
1332100002
1333200001
1331275001
1331150001
1331175001
1332250001
1331425001
1332150001
1332175001
1333275001

1330275001
LEROY AVE
1330150001
1330100001
MORRISTOWN BLVD
1330325001
Subject site
1330400002
1330425001
1330350001
1330475001
Sending area

Zoning Waiver of Plat (WOP) UID # 13515
App. Status: Pending Review

Property Information

Parcel Information:	**Parcel Information** / **Owner Information** **Parcel ID Number** | **Site Address** | **City** | **Zoned as** | **Owner Name** 13.30.3.25.001 | | | AGRICULTURAL | VINCENT F SCHWARTZ ET AL
Are you the landowner?	Yes
Will you be using an Authorized Agent?	Yes

Applicant Information

Applicant Information:	Name: Corey Schwartz Phone #1: (507) 330 - 2368 Phone #2: (507) 330 - 0661 Email Address: c_schwartz@hotmail.com Mailing Address: 13105 State Hwy 60 Waterville MN 56096

Authorized Agent

Authorized Agent Contact Information:	Name: Nick Schwartz Phone #1: (507) 330 - 0661 Email Address: nicksamschwartz@gmail.com Mailing Address: 13105 State Hwy 60 Waterville MN 56096
Authorized Agent Form:	File 1: authorized_agent_form_rice_county.pdf

Site Plan

Please see attached site plan:	File 1: House_Site_Plan.pdf
Certificate of Survey:	File 1: Site_Survey.pdf
Will there be a new or change in use driveway?	Yes

Soil/Septic Information

Soil/Septic information:	File 1: Septic_Plan.pdf

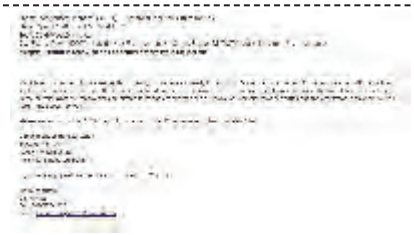
Subdivision Review Process

Is a transfer development right being used with this WOP?	Yes

Sending & Receiving Property

TDR Sending Property legal description.:	File 1: Conservation_Easement_Form_with_signatures.pdf
Please fill out TDR and Conservation Easement Forms:	File 1: TDR_with_legal_and_signatures.pdf

Driveway Permit

Driveway permit:	 File 1: Driveway_Permit_Email.JPG

Terms

Terms and Conditions

By checking the box above, I hereby certify that all data contained herein, as well as supporting data, are true and correct.
Landowner or Applicant or Representative must attend the scheduled public hearings.

Public Notes

Text:	4/17/2023 CK - Item scheduled to be heard at the May 25, 2023 Planning Commission Meeting.
File(s):	

Internal Notes

Text:	4.18.23 email to Rich Hacket septic: The creation of a new parcel requires that 3 soil borings be performed for the Primary site and 3 soil boring be performed for the Secondary septic site (if any 2 or more borings are the same, the same soil log can be utilized) all 6 of the soil boring locations must be identified on the site plan. In addition, a signed statement must be submitted

	informing that both sites would be type I ssts?s. Please submit this information to me directly and I will attach to the application on my end.
File(s):	----------

RICE COUNTY

ENVIRONMENTAL SERVICES

PLANNING DIVISION
320 Third Street NW • Faribault, MN 55021
(507) 332-6113 • Fax (507) 332-6277
www.co.rice.mn.us

Authorized Agent Form

I (we) hereby authorize (print agent name) Nick Schwartz to act as my authorized agent and to represent me in all actions required in obtaining the below listed approvals from Rice County Environmental Services for my property located at:

Site Address: TBD

Parcel Identification number: 13.30.3.25.001

Type of application agent is authorized to represent property in: (Check all applicable)

- [x] Building/Landuse structure permit
- [x] Conditional Use Permit
- [x] Variance
- [x] Land Subdivision (Waiver of Plat, Plat)
- [x] Environmental Review
- [ ] Other: _____

Agent contact information:
Name: Nick Schwartz Address: 13105 State Hwy 60 Waterville MN
Phone Number(s): 507-330-0661
Email: _____

Landowner information:- Future - After Split & Transfer
Name: Nick, Corey, Alex Schwartz Address: 13105 State Hwy 60
Phone Number(s): 507-330-2368 , 507-330-0661
Email: _____

I(we) hereby certify that I am the owner of the above property, have authorized the above listed person to act in my behalf and that all information on this form is true and correct:

Landowner Signature Date: 3/5/23

Landowner Signature Date: 3/5/23

Alex Schwartz 3/5/23

Part of PID 13.30.3.25.001

CERTIFICATE OF SURVEY

PARCEL OWNER/ADDRESS: Vincent F Schwartz
12938 Morristown Blvd W
Waterville MN 56096

NW 1/4 – SW 1/4, SECTION 30, TOWNSHIP 109 NORTH, RANGE 22 WEST, RICE COUNTY, MINNESOTA

LEGAL DESCRIPTION

That part of the Northwest Quarter of the Southwest Quarter in Section 30, Township 109 North, Range 22 West of the Fifth Principal Meridian, Rice County, Minnesota, described as follows:

Commencing at the Northeast corner of the said Northwest Quarter of the Southwest Quarter; thence South 00°44'16" West along the east line of said Northwest Quarter of the Southwest Quarter (for purposes of this description bearings are assumed and based on the said east line, being South 00°44'16" West), a distance of 89.77 feet; thence South 89°37'48" West, a distance of 148.43 feet to the point beginning of the parcel to be herein described; thence South 00°44'16" West parallel with said east line, a distance of 48.19 feet; thence South 89°46'11" West, a distance of 170.02 feet; thence South 00°44'16" West, a distance of 513.77 feet; thence South 89°46'11" West, a distance of 259.20 feet; thence North 00°44'16" East, a distance of 327.75 feet; thence North 89°46'11" East, a distance of 209.19 feet; thence North 00°44'16" East, a distance of 236.03 feet; thence North 89°46'11" East, a distance of 170.02 feet; thence North 00°44'16" East , a distance of 73.08 feet to the center of Trunk Highway 60; thence North 89°37'48" East along said center of Trunk Highway 60, a distance of 50.01 feet; thence South 00°44'16" West , a distance of 75.01 feet to said point of beginning.

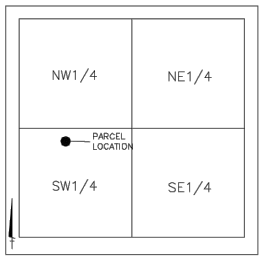
Subject to Trunk Highway 60 right of way of and across the northerly side thereof and any easements and restrictions of record.

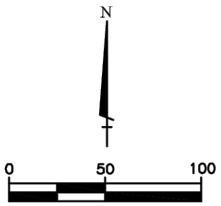
The above described parcel contains 2.50 acres more or less.

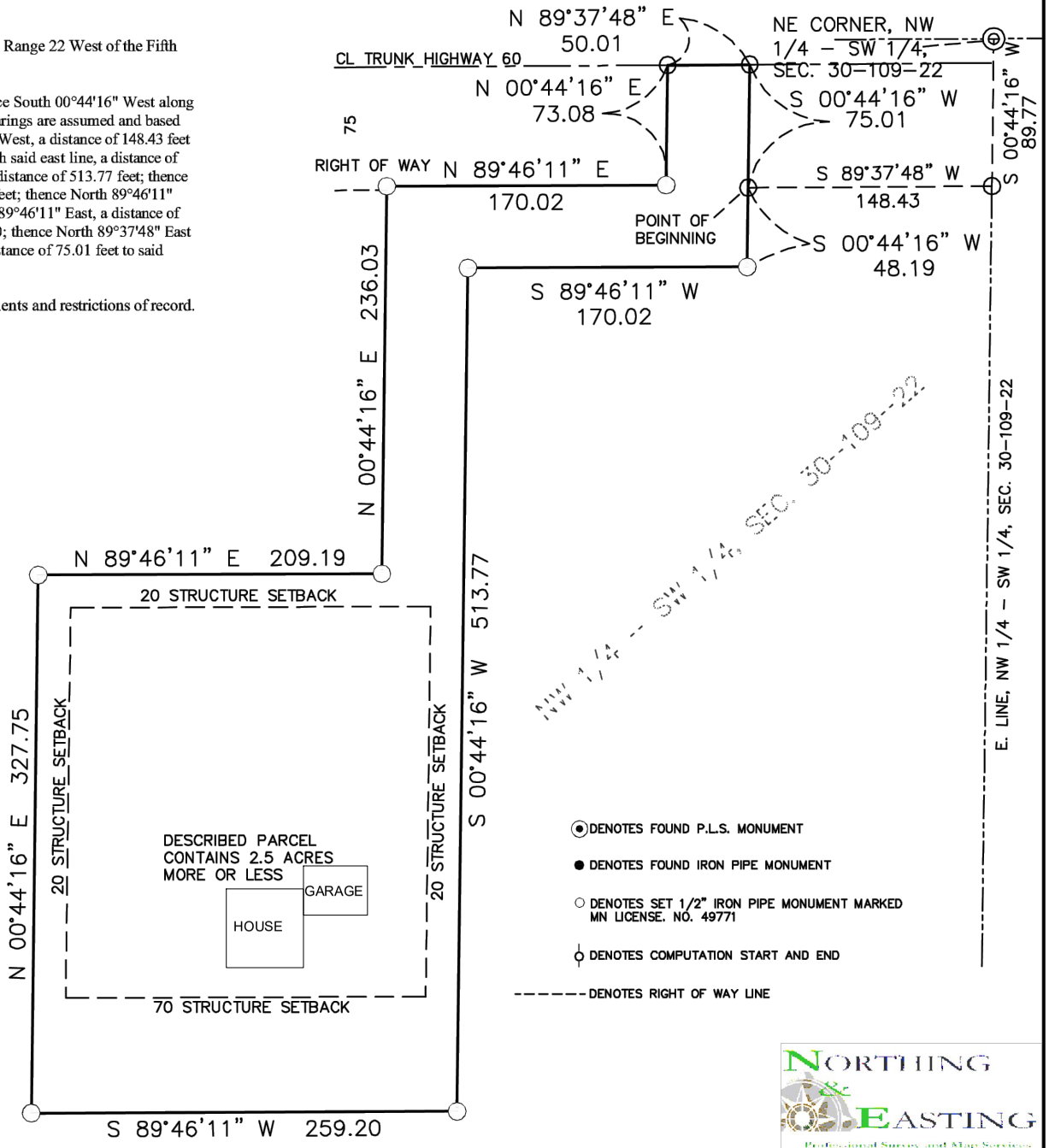
NOTE:
BEARINGS ARE ASSUMED AND BASED ON THE EAST LINE OF THE NW 1/4 – SW 1/4, SEC. 30 –109–22, BEING S 00°44'16" W.

NOTE: CERTIFICATE DOES NOT PURPORT TO SHOW ANY OR ALL APPLICABLE INFORMATION, EXCEPT AS SHOWN, QUESTIONS PERTAINING TO INFORMATION NOT SHOWN ON THIS CERTIFICATE SHOULD BE DIRECTED TO THE APPROPRIATE REVIEWING PARTY.

VICINITY MAP
SECTION 30–109–22, RICE COUNTY, MINNESOTA







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

BENJAMIN D. VOEGELE, L.S.
MN LICENSE. NO. 49771

DATE: 03-04-2023

NORTHING & EASTING
Professional Survey and Map Services

PROJECT NO. 109223023	DATE: 03-04-2023	SCALE: 1" = 100'	SHEET SIZE: 8.5 X 11		SHEET 1 OF 1

Part of PID 13.30.3.25.001

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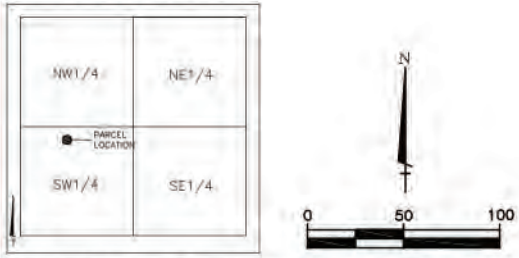

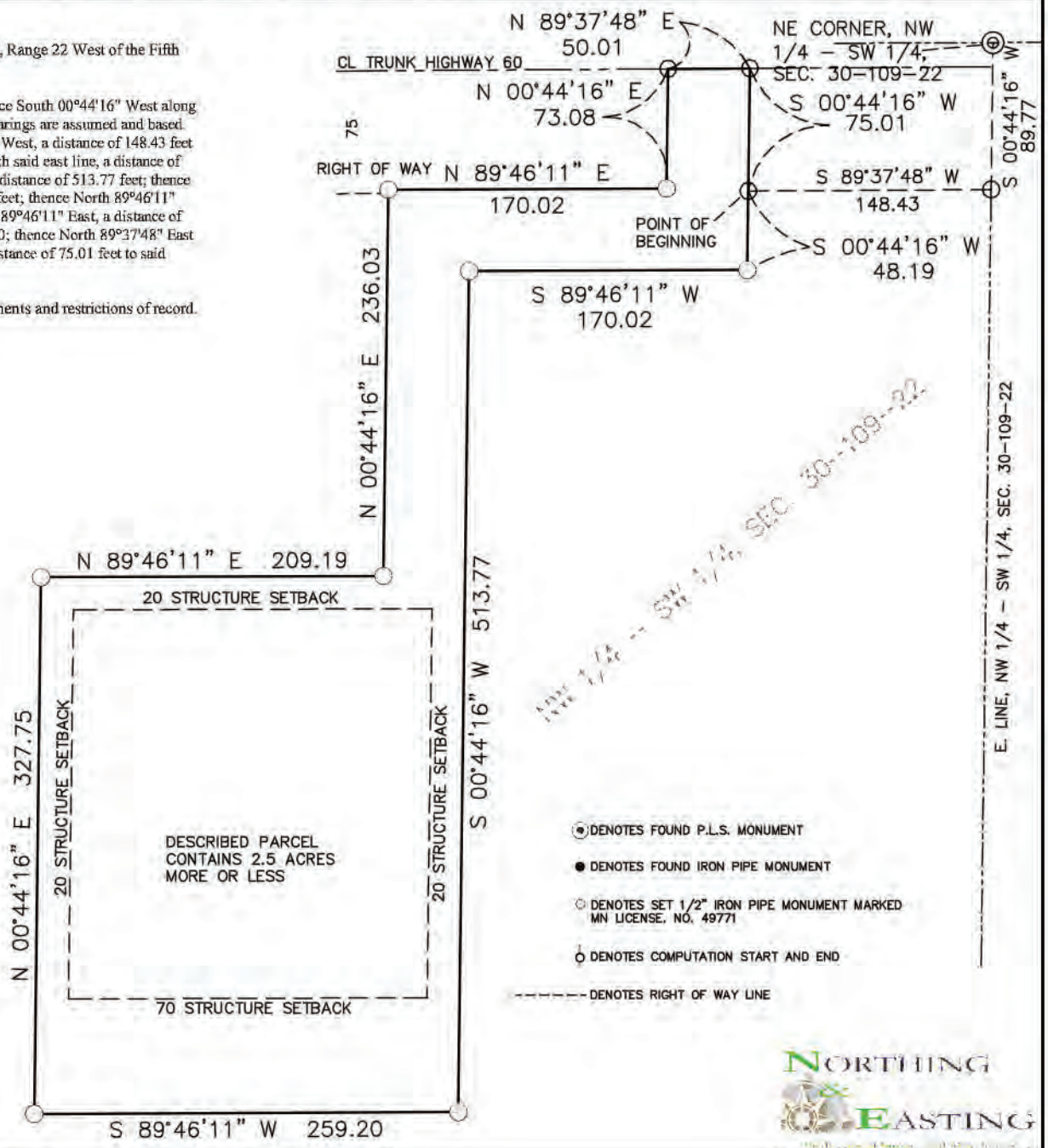

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03-04-2023

BENJAMIN D. VOEGELE, L.S.
MN LICENSE. NO. 49771

DATE:

NORTHING & EASTING

PROJECT NO. 109223023	DATE: 03-04-2023	SCALE: 1" = 100'	SHEET SIZE: 8.5 X 11		SHEET 1 OF 1

Part of PID 13.30.3.25.001

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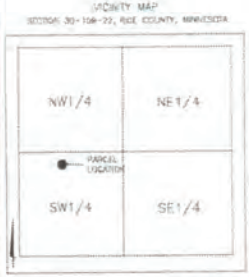

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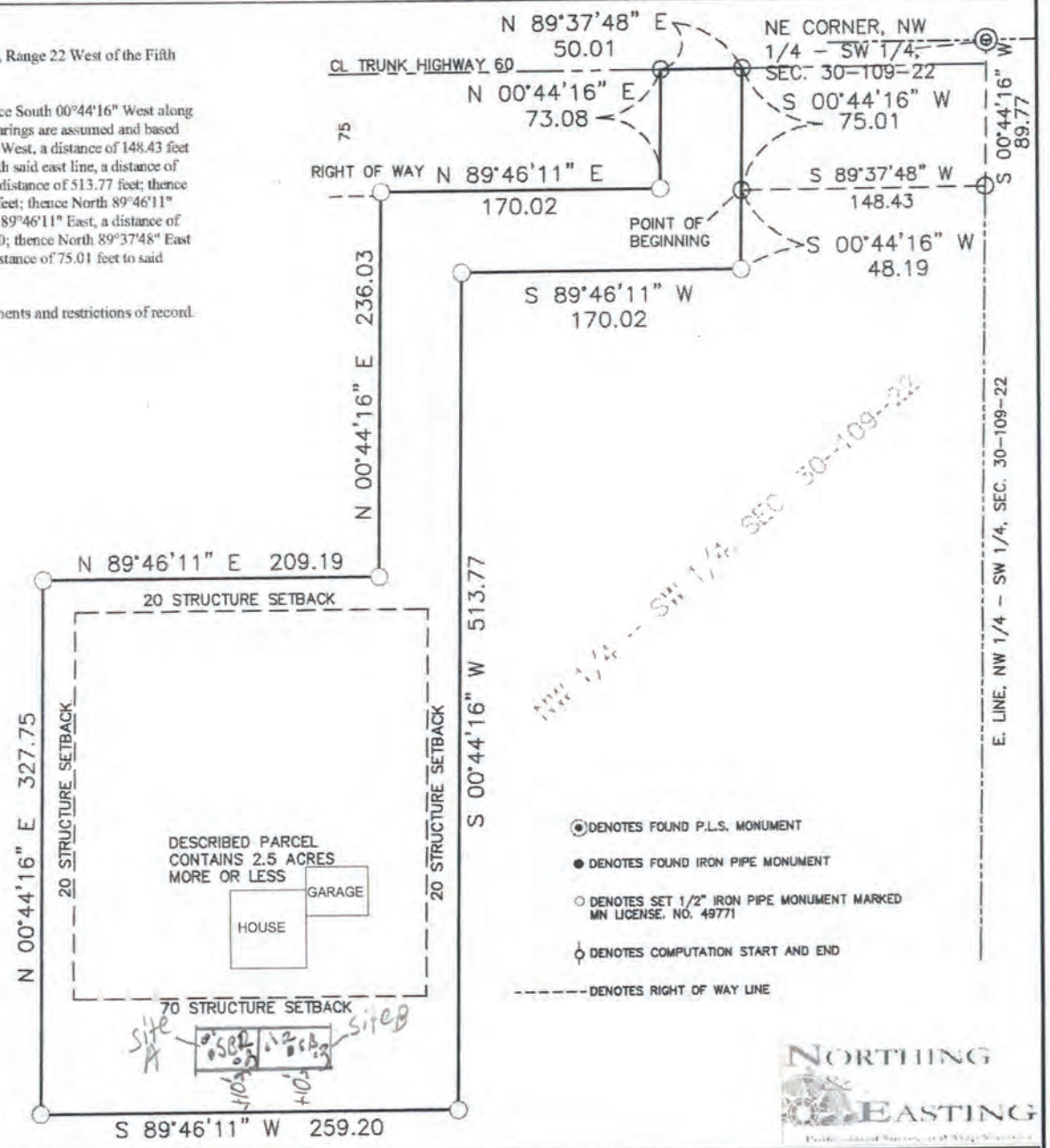
BENJAMIN D. VOEGELE, L.S.
MN LICENSE. NO. 49771

03-04-2023
DATE:



NORTHING EASTING

PROJECT NO. 109223023	DATE: 03-04-2023	SCALE: 1" = 100'	SHEET SIZE: 8.5 X 11		SHEET 1 OF 1

ONSITE SEWAGE TREATMENT PROGRAM

Soil Observation Log

Project ID:

v 03.15.2023

Client:	VINCENT SCHWARTZ			Location / Address:	PID13.30.3.25.001
Soil parent material(s): (Check all that apply)	☐ Outwash ☐ Lacustrine ☐ Loess ☑ Till ☐ Alluvium ☐ Bedrock ☐ Organic Matter ☐ Disturbed/Fill				
Landscape Position:	Back/Side Slope	Slope %: 4.0	Slope shape:	Linear, Linear	Flooding/Run-On potential: No
Vegetation:	Ag. Land	Soil survey map units:	L113B		Surface Elevation-Relative to benchmark: 1100.0
Date/Time of Day/Weather Conditions:		PARTLY SUNNY	3/7/2023 9:00		Limiting Layer Elevation: 1118.0
Observation #/Location:	SB1,2,3	SITE B		Observation Type:	Probe

Depth (in)	Texture	Rock Frag. %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Structure: Shape	Structure: Grade	Structure: Consistence
0-22	Loam	5	10YR 3/2		None	None	Granular	Moderate	Friable
22-24	Clay Loam	5	10YR 4/3		None	None	Granular	Moderate	Friable
24-32	Clay Loam	5	10YR 4/3		Concentrations	S2	Granular	Moderate	Friable

Comments:

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

RICH HACKETT		3473	3/7/2023
(Designer/Inspector)	(Signature)	(License #)	(Date)

Optional Verification: I hereby certify that this soil observation was verified according to Minn. R. 7082.0500 subp. 3 A. The signature below represents an infield verification of the periodically saturated soil or bedrock at the proposed soil treatment and dispersal site.

(LGU/Designer/Inspector)	(Signature)	(Cert #)	(Date)

University of Minnesota Onsite Sewage Treatment Program

Soil Observation Log

Project ID: v 03.15.2023

Client:	VINCENT SCHWARTZ	Location / Address:	PID13.30.3.25.001

Soil parent material(s): (Check all that apply) ☐ Outwash ☐ Lacustrine ☐ Loess ☑ Till ☐ Alluvium ☐ Bedrock ☐ Organic Matter ☐ Disturbed/Fill

Landscape Position:	Back/Side Slope	Slope %: 4.0	Slope shape:	Linear, Linear	Flooding/Run-On potential: No
Vegetation:	Ag. Land	Soil survey map units:	L113B		Surface Elevation-Relative to benchmark: 1100.0
Date/Time of Day/Weather Conditions:		PARTLY SUNNY	3/7/2023 9:00		Limiting Layer Elevation: 1118.0
Observation #/Location:	SB1, 2, 3	SITE A		Observation Type:	Probe

Depth (in)	Texture	Rock Frag. %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Structure: Shape	Structure: Grade	Structure: Consistence
0-24	Loam	5	10YR 3/2		None	None	Granular	Moderate	Friable
24-32	Clay Loam	5	10YR 4/3	5YR 4/4	Depleted Matrix & Concentrations	S2	Granular	Moderate	Friable

Comments:

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

RICH HACKETT		3473	3/7/2023
(Designer/Inspector)	(Signature)	(License #)	(Date)

Optional Verification: I hereby certify that this soil observation was verified according to Minn. R. 7082.0500 subp. 3 A. The signature below represents an infield verification of the periodically saturated soil or bedrock at the proposed soil treatment and dispersal site.

(LGU/Designer/Inspector)	(Signature)	(Cert #)	(Date)

Vincent Schwartz 3-7-23
For the Parcel waiver of plat 13.30.3.25.001
Both site A and B would be suitable
for Type 1 septic systems

Rich Hackett
Hackett construction
Lice # 3473
Cert # 9292
612-756-4110

CONSERVATION EASEMENT

This Agreement (hereinafter "Conservation Easement" or "Agreement") is made this 31st day of March, 2023, between the County of Rice (hereinafter "Grantee"), a body corporate and politic existing under the law of the State of Minnesota, 320 Third Street Northwest, Faribault, MN 55021 and See Attached Sheet (hereinafter "Grantor").

(Information needed to identify owners – name, marital status, ownership status, address)

RECITALS

WHEREAS, Grantor(s) is owner in Fee of land identified in Exhibit A (the Property) which is located in Rice County, Minnesota, and described in a deed recorded in the Office of the County Recorder of Rice County, Minnesota, as Document Number _____, dated _____; and

WHEREAS, Grantor seeks to convey a CONSERVATION EASEMENT to Grantee, the County of Rice, for the purpose of preserving productive farmland and open space.

WHEREAS, the Property is located in a zoning district designated under the Rice County Zoning Ordinance as eligible for the transfer of development rights from the Property; and

WHEREAS, Grantor has agreed to the transfer of all the development rights determined by Rice County to be allowable to the Property; and

WHEREAS, the current use of the Property is agricultural use, open space or natural areas, and on the Property are located 0 structures including 0 dwelling units and 0 non-residential agricultural buildings; and

WHEREAS, Grantor acknowledges the transfer of all rights to further develop the Property for any use other than the uses existing on the date of the grant of this Easement; and

WHEREAS, Minn. Stat. Ch. 84C authorizes the State of Minnesota, governmental bodies to preserve, acquire, or hold lands for open space uses, which specifically include agriculture; and that actions pursuant to these purposes are for public health, safety, and general welfare of the citizens of the State of Minnesota and for the promotion of sound land development; and

WHEREAS, Grantee is a qualified political subdivision under the laws of the State of Minnesota laws and is authorized by Minn. Stat. §375.18, subd. 12 to acquire conservation easements under chapter 84C for the purpose of implementing a transfer of development rights program; and

WHEREAS, Grantee has declared that public benefits result from the protection and conservation of agricultural land, specifically including the protection of agricultural lands for the production of food and other agricultural products; protection of scenic rural areas for public visual enjoyment from public rights-of-way; and the protection of agricultural lands as valued natural and ecological resources to provide water quality benefits and open space benefits; and

WHEREAS, Grantor desires and intends that the agricultural and open space character of the Property be preserved, protected, and maintained; and

WHEREAS, Grantor desires and intends to give Grantee the right to enforce the terms of this Conservation Easement for the protection of the Property in perpetuity; and

WHEREAS, Grantee agrees by acquiring this grant of conservation easement to preserve and protect in perpetuity the agricultural and open space values of the Property for the benefit of this generation and the generations to come; and

WHEREAS, the specific agricultural and open space values of the Property are documented in an inventory of the Property, dated _____, on file at the offices of Grantee and incorporated by this reference ("Baseline Documentation"), which consists of documentation that the parties agree provide, collectively, an accurate representation of the Property at the time of this grant of easement and which is intended to serve as an objective information baseline for monitoring compliance with the terms of this grant of easement.

NOW, THEREFORE, in consideration of the foregoing and intending to be legally bound, the undersigned Grantor grants and conveys to Grantee a CONSERVATION EASEMENT on the Property for the purpose of assuring that the Property will be retained forever in its agricultural and open space condition and to prevent any use that will impair the agricultural and open space values of the Property. To carry out this purpose, the following title restrictions are recorded:

A. CONVENANTS, TERMS, CONDITIONS, AND RESTRICTIONS

1. The Recitals stated above are incorporated by reference and intending to be legally bound, Grantor declares, makes known, and covenants for themself, their heirs, successors, and assigns, that the property shall be restricted to agricultural and open space uses.

2. This Conservation Easement shall continue in perpetuity unless terminated or otherwise amended by the parties. Any termination or amendment shall be by separate written agreement and recorded against the property.

3. Agricultural uses of land are defined for the purposes of this grant of easement, as the use of land for the production of plants and animals that qualify the Property for tax treatment under the provision of Minn. Stat. §273.11, the "Minnesota Agricultural Property Tax Law," as may be amended from time to time, or as maybe interpreted by courts of competent jurisdiction.

4. Residences and structures permitted on the Property subject to these restrictions are the residences and structures existing on the date of this easement as noted in the Baseline Documentation, or in the event of their destruction, replacements of similar size (or larger if allowed by the Rice County Zoning Ordinance) and uses.

Additional non-residential agricultural structures are allowed. Additional residential structures and uses are prohibited.

5. Upon a conveyance of all or a portion of the Property, any new Deed shall recite verbatim the terms of this Easement and incorporate this Easement by reference.

6. Use of the Property for dumping, storage, processing or landfill of non-agricultural solid or hazardous waste generated off-site is prohibited.

B. GENERAL PROVISIONS

1. Grantor reserves to themself, and to their personal representatives, heirs, successors, and assigns, all rights accruing from their ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and are not inconsistent with the purpose of this Easement.

2. No right of public access is provided for, nor will any right of public access result from the recording of these restrictions.

3. Grantee, their successors or assigns, jointly or severally, shall have the right to enforce these restrictions by injunction and other appropriate proceedings, including but not limited to the right to require the Grantor to restore the Property to the condition existing at the time of this Grant in order to correct any violation(s) of this Grant of Easement. Representatives of Grantee, their successors or assigns, may at reasonable times and after appropriate notice to Grantor and any persons residing on the Property, enter the Property from time to time for the purposes of inspection and enforcement of the terms of the Easement.

4. Any cost incurred by Grantee in enforcing the terms of this easement against Grantor, including court costs, attorneys' fees, and any cost of restoration necessitated by Grantor's violation of the terms of this Grant shall be borne by Grantor.

5. The restrictions contained herein shall apply to the land as a conservation easement in gross in perpetuity. The covenants, terms, conditions, and restrictions of this easement shall be binding upon and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property. A party's rights and obligations under this Easement terminate upon transfer of the party's interest in the Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

6. This easement may be subject to modification, termination or extinguishment, whether in whole or in part, if the zoning ordinance is amended, the property is annexed into a city, a development right is returned to the property or if circumstances arise in the future such as to render the purposes of this easement impossible to accomplish and the parties mutually agree, or by judicial proceedings in a court of competent jurisdiction.

7. If the easement is taken, in whole or in part, by the exercise of the power of eminent domain, Grantee shall be entitled to just compensation for its interest in the Property in accordance with applicable law.

8. Grantor agrees to incorporate the terms of this easement in any deed or other legal instrument by which Grantor divests themself of any interest in all or a portion of the Property. Grantor further agrees to give written notice to Grantee of the transfer of any interest at least ten (10) days prior to the date of such transfer. The failure of Grantor to perform any act required by this paragraph shall not impair the validity of this Conservation Easement or limit its enforceability in any way.

9. Grantor shall hold harmless, indemnify and defend Grantee and its employees, agents and contractors and their heirs, personal representatives, successors and assigns (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands or judgments, including without limitation, reasonable attorneys' fees arising from or in any way connected with: (1) the result of a violation or alleged violation of any State or Federal environmental statute or regulation including the storage or disposal of hazardous or toxic chemicals or materials; (2) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition or other matter related to or incurring on or about the premises, regardless of costs, unless due solely to the gross negligence of any of the Indemnified Parties; and (3) existence and administration of this easement.

10. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep and maintenance of the premises, including the maintenance of adequate comprehensive general liability insurance coverage and payment of all real estate taxes.

11. Grantee shall record this Conservation Easement with the Rice County Recorder.

12. If any provisions of this conservation easement, or the application thereof to any person or circumstances, is found to be invalid, the remainder of the provisions of this conservation easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected and shall continue in full force and effect.

Grantee hereby conveys a conservation easement to have and to hold unto Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the parties hereto have set their hands on the date(s) indicated below intending to be bound thereby.

GRANTOR(S): (see attached)

By:_____
Signature

By:_____
Signature

By:_____
Printed Name

By:_____
Printed Name

STATE OF MINNESOTA)
) ss.
COUNTY OF RICE)

The foregoing instrument was acknowledged before me this ___ day of _____, 2023, by _____, Grantor(s).
Name(s), marital status

NOTARY PUBLIC

_____
Notary Public

GRANTEE

COUNTY OF RICE

Attest:

_____
County Chair Board

_____
Sara Folsted, County Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF RICE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by _____, Chairperson of the Rice County Board, Rice County Minnesota, pursuant to the authority granted by its County Board.

NOTARY PUBLIC

BY:_____

Prepared by: Rice County Attorney's Office
218 NW Third Street
Faribault, MN 55021
February 2023

Vincent F. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF WASECA)

The foregoing instrument was acknowledged before me this 13 day of ~~March~~ April 2023, by, Vincent F. Schwartz, a single person, Grantor.

AMANDA J. WILCOX
NOTARY PUBLIC
MINNESOTA
My Commission Expires 01/31/2026

Amanda Wilcox
Notary Public

Alex M. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF LeSueur)

ROXANNE SPANGLER
NOTARY PUBLIC
MINNESOTA
My Commission Expires 01/31/2027

The foregoing instrument was acknowledged before me this 14 day of ~~March~~ April 2023, by, Alex M. Schwartz, a single person, Grantor.

Notary Public

Corey G. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF LeSueur)

The foregoing instrument was acknowledged before me this 14 day of ~~March~~ April 2023, by, Corey G. Schwartz, husband of Samantha J. Schwartz, Grantor.

Notary Public

Samantha J. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF LeSueur)

The foregoing instrument was acknowledged before me this 14 day of ~~March~~ April 2023, by, Samantha J. Schwartz, wife of Corey G. Schwartz, Grantor.

Notary Public

Nicholas D. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF LeSueur)

The foregoing instrument was acknowledged before me this 13 day of ~~March~~ April 2023, by, Nicholas D. Schwartz, husband of Samantha J. Schwartz, Grantor.

AMANDA J. WILCOX
NOTARY PUBLIC
MINNESOTA
My Commission Expires 01/31/2026

Notary Public

Samantha J. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF LeSueur)

ROXANNE SPANGLER
NOTARY PUBLIC
MINNESOTA
My Commission Expires 01/31/2027

The foregoing instrument was acknowledged before me this 14 day of ~~March~~ April 2023, by, Samantha J. Schwartz, wife of Nicholas D. Schwartz, Grantor.

Notary Public

Owners:

Vincent F. Schwartz, a single person
12938 Morristown Blvd W
Waterville MN 56096

Nicholas D. Schwartz and Samantha J. Schwartz, his wife
13105 State Hwy 60
Waterville MN 56096

Corey G. Schwartz and Samantha J. Schwartz, his wife
617 Tetonka View Cir
Waterville MN 56096

Alex M. Schwartz, a single person
12186 Morristown Blvd
Morristown MN 55052

Owners:

Vincent F. Schwartz, a single person
12938 Morristown Blvd W
Waterville MN 56096

Nicholas D. Schwartz and Samantha J. Schwartz, his wife
13105 State Hwy 60
Waterville MN 56096

Corey G. Schwartz and Samantha J. Schwartz, his wife
617 Tetonka View Cir
Waterville MN 56096

Alex M. Schwartz, a single person
12186 Morristown Blvd
Morristown MN 55052

TRANSFER DEVELOPMENT RIGHT (TDR) SENDING FORM

Owner of Sending Parcel See Attached For List of Owners

Mailing Address: _____

City, State, Zip_____ Phone: _____

_____ _____

Signature of Sender Date

The following information is required:

1) Original copy of the signed Conservation Easement with the following provided by the applicant:
   a. First page: owner(s) name & marital or ownership status and deed information;
   b. Last page: signed & notarized by owner(s); and
   c. Legal description of sending area.

Note: The Conservation Easement is not recorded until after the TDR is approved.

2) Number of Rights being transferred 1

The TDR is not ready for transfer until the receiving area is approved by the Board of Commissioners and the Conservation Easement has been recorded by Rice County.

Please note that once the TDR is approved, the applicant is responsible for creating/filing the new parcel with the Rice County Recorder's Office.

*************************OFFICE USE ONLY************************

Remaining TDR's in Quarter/Quarter_____

Receiving Area:
Name of Plat or Legal Description_____

Date of Approval _____/_____/_____

Date of Easement Recording _____/_____/_____

Date CE added to GIS - TDR layer_____/_____/_____

Owners:

Vincent F. Schwartz, a single person
12938 Morristown Blvd W
Waterville MN 56096

Nicholas D. Schwartz and Samantha J. Schwartz, his wife
13105 State Hwy 60
Waterville MN 56096

Corey G. Schwartz and Samantha J. Schwartz, his wife
617 Tetonka View Cir
Waterville MN 56096

Alex M. Schwartz, a single person
12186 Morristown Blvd
Morristown MN 55052

TDR Legal

SW ¼ of the SW ¼ of Section 30, T109N, Range 22W, Rice County, MN

Vincent F. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF WASECA)

The foregoing instrument was acknowledged before me this 13 day of ~~March~~ April 2023, by, Vincent F. Schwartz, a single person, Grantor.

AMANDA J. WILCOX
NOTARY PUBLIC
MINNESOTA
My Commission Expires 01/31/2026

County LeSueur

Notary Public

Alex M. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF LeSueur)

ROXANNE SPANGLER
NOTARY PUBLIC
MINNESOTA
My Commission Expires 01/31/2027

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Notary Public

Corey G. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF Le Sueur)

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Notary Public

Samantha J. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF Le Sueur)

The foregoing instrument was acknowledged before me this 13 day of ~~March~~ April 2023, by, Samantha J. Schwartz, wife of Corey G. Schwartz, Grantor.

Notary Public

Nicholas D. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF LeSueur)

The foregoing instrument was acknowledged before me this 14 day of ~~March~~ April 2023, by, Nicholas D. Schwartz, husband of Samantha J. Schwartz, Grantor.

AMANDA J. WILCOX
NOTARY PUBLIC
MINNESOTA
My Commission Expires 01/31/2026

Notary Public

Samantha J. Schwartz

STATE OF MINNESOTA)
) ss.
COUNTY OF LeSueur)

The foregoing instrument was acknowledged before me this 13 day of ~~March~~ April 2023, by, Samantha J. Schwartz, wife of Nicholas D. Schwartz, Grantor.

AMANDA J. WILCOX
NOTARY PUBLIC
MINNESOTA
My Commission Expires 01/31/2026

Notary Public

From: "Singbusch, Richard A (DOT)" <richard.singbusch@state.mn.us>
Date: April 12, 2023 at 1:50:32 PM CDT
To: A-SCHWARTZ@live.com
Cc: "Evans, David (DOT)" <david.evans@state.mn.us>, "Smith, Russell M (DOT)" <russell.m.smith@state.mn.us>
Subject: Permit is ready, deposit needed before we issue permit

Mr. Schwartz, your permit for a residential driveway is complete and ready to send out. Before we issue the permit, we require a deposit that will be kept at our Rochester office until the work is completed. After the driveway is finished, you will need to mail (or email) the completion form included in the permit. Once we receive the completion form and are satisfied the driveway was completed as permitted and the vegetation is growing, we will return the deposit to you.

Please mail or drop off a $1,000 deposit made out to the "Commissioner of Transportation" to

Department of Transportation
2900 48th St. NW
Rochester, MN 55901
Attn: Rick Singbusch, Permits

If you have any questions, feel free to call or email. Thank you,

Rick Singbusch
D6 Permits
Cell: 507-577-1928
Email: Richard.singbusch@state.mn.us

From: Schnell, Tracy (DOT)
To: RCPlanningZoning
Cc: Wayne, Kurt (He/Him/His) (DOT); Schnell, Tracy (DOT)
Subject: Rice County Minnesota Board of Adjustment Items
Date: Friday, May 19, 2023 12:12:57 PM
Attachments:

[This message was received from an external source. Do not click links or open attachments unless verified. Please report all suspicious emails to Rice County IT using the Phishing Alert button.]

These proposals appear to have no significant impact on MnDOT roadways and are acceptable to MnDOT.

Variance/Drager - Section 15, Forest Township

Variance/Whipple- Section 15, Wells Township

Variance/Grossman - Section 31, Forest Township

Conditional Use Permit/Lindenfelser

Final Plat/Johnson - Section 8, Wells Township

Waiver of Plat/Schwartz - Section 30, Morristown Township

Conditional Use Permit/Lynch- Section 26, Webster Township

Waiver of Plat/Olson - Section 5, Wheatland Township

Thanks,

Tracy Schnell
Senior Planner | District 6

Minnesota Department of Transportation
2900 48th Street NW
Rochester, MN 55901
C: 507-259-3852
mndot.gov/

RICE COUNTY
ENVIRONMENTAL SERVICES DEPARTMENT
MEMORANDUM

TO: Planning Commission
FROM: Trent McCorkell, Rice County Zoning Administrator
HEARING DATE: May 25, 2023
SUBJECT: Lynch – CUP

SUMMARY OF THE APPLICATION
Gary Lynch, on behalf of landowner Gary Lynch Trust, has applied for a Conditional Use Permit (CUP) for a Liquefied Petroleum (Propane) Gas Distribution Service business. The proposed site is to include a 2.9-acre fences gravel parking/storage area, a 60-ft by 100-ft storage shed and a 45,000-gallon LP bulk storage tank. The operation proposes no onsite retail sales.

Application Data

APPLICANT: Gary Lynch

LOCATION: Part of the NE1/4 of the SW1/4, Section 26, Webster Township, Rice County, Minnesota. PID#: 02.26.3.00.002.

ZONING: A, Agricultural

Lot Area/Dimensions

	Lot Area
Subject Parcel	31-acres.
Minimum Requirement	2.5 acres

Location
The subject site is located at the SW corner of Lonsdale Blvd W and Benton Ave, approximately 4.5-miles east of Lonsdale.

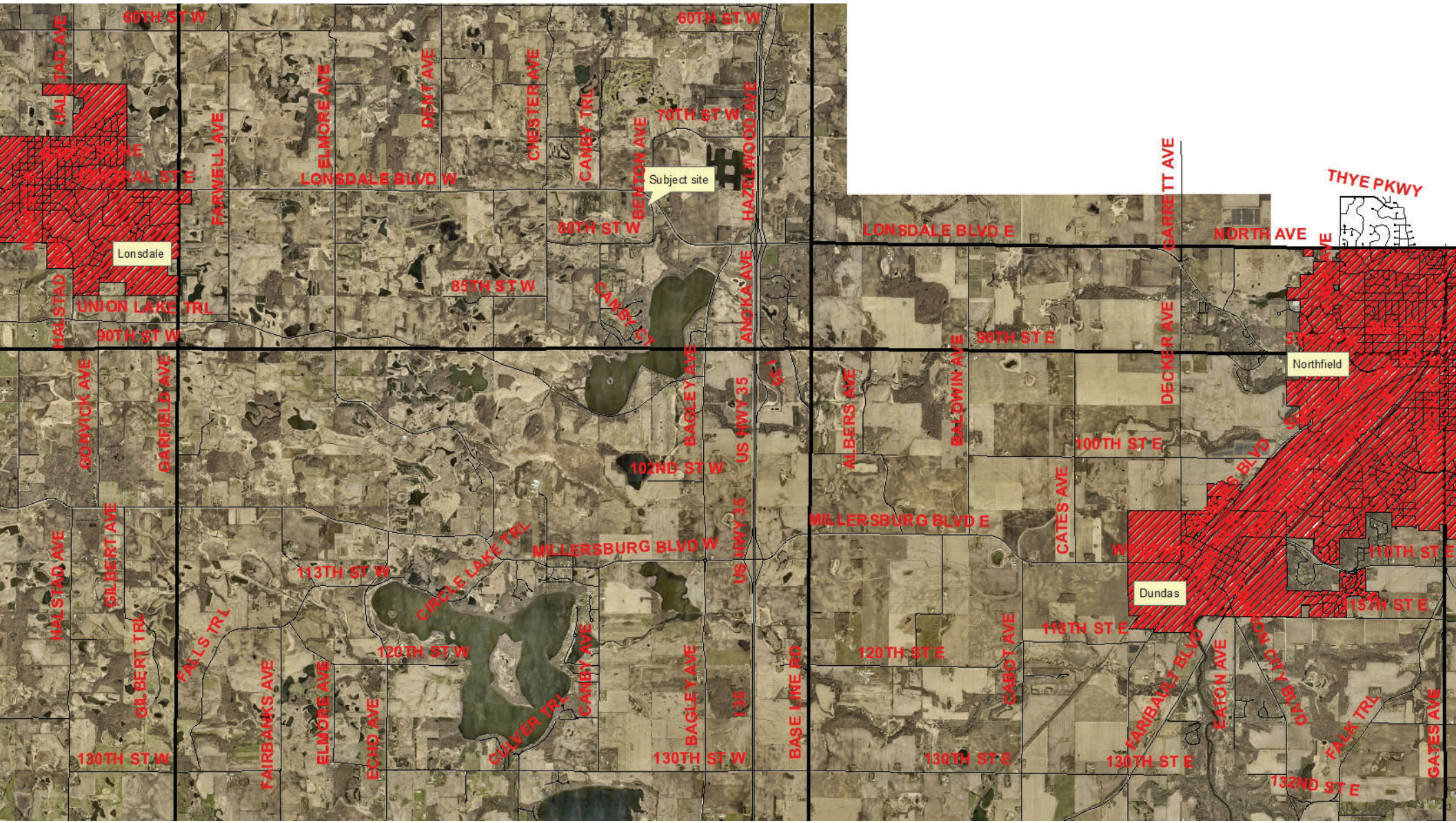
Roads and Access
The site proposes and driveway from Benton Ave. A driveway permit will be required from Webster Township.

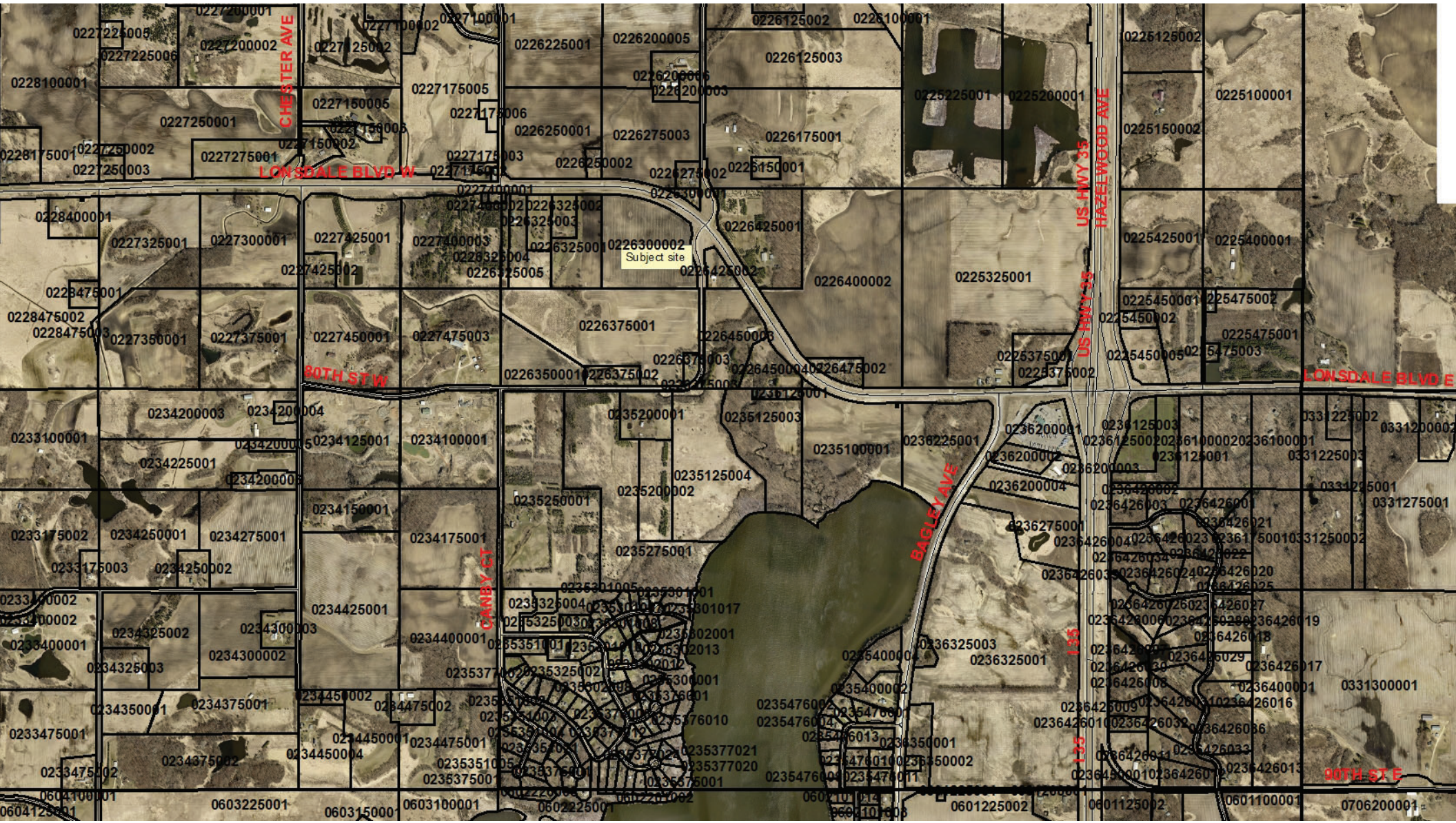
Existing Site Conditions
Photos of the property will be provided at the meeting

Applicable Zoning Ordinance Sections
Section 503.05, 507.04.C, 507.07.P, Table 508-1, and Section 509.

If approved, conditions might include:

1. The applicant is to follow all Federal, State, County and Local rules and regulations.
2. The Conditional Use Permit is for a liquefied petroleum (LP) (propane) gas distribution service business consisting of bulk LP storage for delivery. Onsite activities consist of storage of bulk LP and delivery equipment. Changes to the business are not permitted without approval of a new/amended permit.
3. Business storage shall not exceed the following: One (1) 45,000-gallon bulk propane (LP) storage tank, _____(#) LP delivery trucks/trailers, and _____(#) employee vehicles.
4. The gravel fenced area shall be screened to roadways by a combination of tree planting and earthen berm to equal a minimum 6-ft height over the existing ground level. Tree plantings shall be at least a single row of an evergreen species with the spacing not more than 20-ft between trees and shall be maintained to provide for screening.
5. No onsite retail sales.
6. A portable toilet or rest room shall be provided for employee use.
7. All vehicles and trailers stored/parked outside shall be operable and have a current license.
8. Only business equipment owned or leased by the onsite business shall be stored on the site.
9. All buildings shall meet building code for the intended use.
10. Proof of compliance with applicable state/federal/local rules and regulations shall be submitted to the Rice County Environmental Services Department upon request.
11. Failure to comply with conditions may result in revocation of the Conditional Use Permit.


Subject site
Lonsdale
Northfield
Dundas
60TH ST W
70TH ST W
80TH ST W
85TH ST W
90TH ST W
102ND ST W
113TH ST W
120TH ST W
130TH ST W
LONSDALE BLVD W
LONSDALE BLVD E
UNION LAKE TRL
MILLERSBURG BLVD W
MILLERSBURG BLVD E
CIRCLE LAKE TRL
CULVER TRL
FALLS TRL
90TH ST E
100TH ST E
110TH ST E
115TH ST E
118TH ST E
120TH ST E
130TH ST E
132ND ST E
NORTH AVE
THYE PKWY
DECKER AVE
GARRETT AVE
ALBERS AVE
BALDWIN AVE
CATES AVE
CABOT AVE
EATON AVE
FALK TRL
GATES AVE
FAIRBANKS AVE
ELMORE AVE
ECHO AVE
CANBY AVE
BAGLEY AVE
BASE LINE RD
US HWY 35
I-35
DENT AVE
CHESTER AVE
CAMBY TRL
BENTON AVE
HAZELWOOD AVE
ANGKA AVE
FARWELL AVE
GONVICK AVE
GARFIELD AVE
GILBERT AVE
GILBERT TRL
HALSTAD AVE


CHESTER AVE
LONSDALE BLVD W
90TH ST W
CANBY CT
BAGLEY AVE
US HWY 35
HAZELWOOD AVE
I-35
LONSDALE BLVD E
90TH ST E
Subject site

0226250001
0226250002
0226275003
0226275002
0226150001
0226175001
LONSDALE BLVD W
0226300001
0226325002
0226325003
0226425001
0226300002
Subject site
0226325001
0226325004
0226425002
BENTON AVE
0226375001
0226450003
0226400002

Zoning Conditional/Interim Use Permit Application (CUP/IUP) UID # 13781
App. Status: Pending Review

Property Information

Parcel Information:	**Parcel Information** / **Owner Information** **Parcel ID Number** | **Site Address** | **City** | **Zoned as** | **Owner Name** 02.26.3.00.002 | | | AGRICULTURAL | GARY L LYNCH TRUST
Are you the Landowner?	Yes
Will you be using an authorized agent?	No

Applicant Information

Applicant Information:	Name: Gary Lynch Phone #1: (612) 919 - 2297 Phone #2: (612) 919 - 8249 Email Address: mike.lynch@waterfordoil.com Mailing Address: po box 508 northfield | mn | 55057

Conditional Use Request

Proposed Use from 508 Use Table below:	E. Commercial & Industrial, Liquefied Petroleum (Propane) Gas Distribution Services
Select whether the proposed use is a Conditional Use or an Interim Use:	CUP
Explanation of requested CUP / IUP:	Requesting a CUP for a 2.9 acre gravel storage lot to contain a non retail propane tank (45,000 gals) and a pole barn.

Site Plan

Please attach a Site Plan:	File 1: site_plan.pdf

Legal Descriptions

Legal Description of project:	File 1: Legal_discription.pdf

Written Evidence/Criteria

Criteria:	File 1: Conditional_Interim_Use_Permit_Criteria_PDF_09-2022_20221007153331715 1.pdf

Septic Information

Is your septic system less than 5 years old or had a valid compliance inspection in the past 3 years?	Yes

Additional Information

Additional Information:	File 1: project_overview.pdf

Terms

Terms and Conditions

By checking the box above, I hereby certify that all data contained herein, as well as supporting data, are true and correct.
Landowner or Applicant or Representative must attend the scheduled public hearings.

Public Notes

Text:	5/4/23 CK - Item scheduled to be heard at the May 25, 2023 Planning Commission.
File(s):	----------

Internal Notes

Text:	
File(s):	----------

Brian Lynch

Map Legend

A.) 350'x350' or 2.9 acre gravel parking lot to hold a propane tank and pole barn shed. This is a storage lot, NO RETAIL SALES.
B.) 60' x100' pole barn shed.
C.) Gravel Driveway.
D.) Chain link gate powered by electric.
E.) Water garden. Nature grade of lot will drain into water garden.
F.) Electric pole yard light.
G.) 45,000 gallon propane storage tank- for residential heat and agriculture sales. NO retail sales or traffic. 200' feet away from all right aways and buildings.
H.) Concrete poles to guard tank.
I.) 200' set back from state highway 19 to start of lot.
J.) Right away boundary from state highway 19, 200ft.
K.) Culvert installed for driveway.
L.) Minimum setback required from gravel road will be used.
M.) Parcel involved is 31 acres and is colored green on map.

Brian Lynch
Vice President.
Waterford Oil Co., Inc.
Office: 507-645-5659
Cell: 612-919-8249
Fax: 507-645-2226
Email:brian.lynch@waterfordoil.com
www.waterfordoil.com

NOTE: Waterford Oil Co., Inc. (or its personnel) is not acting as your agent or advisor and you are encouraged to seek independent advice, as necessary, prior to entering into any transaction. Derivatives trading/ petroleum contracts involve substantial risk of loss, and you should fully understand those risks prior to trading. Any reference to past performance is not indicative of future results.

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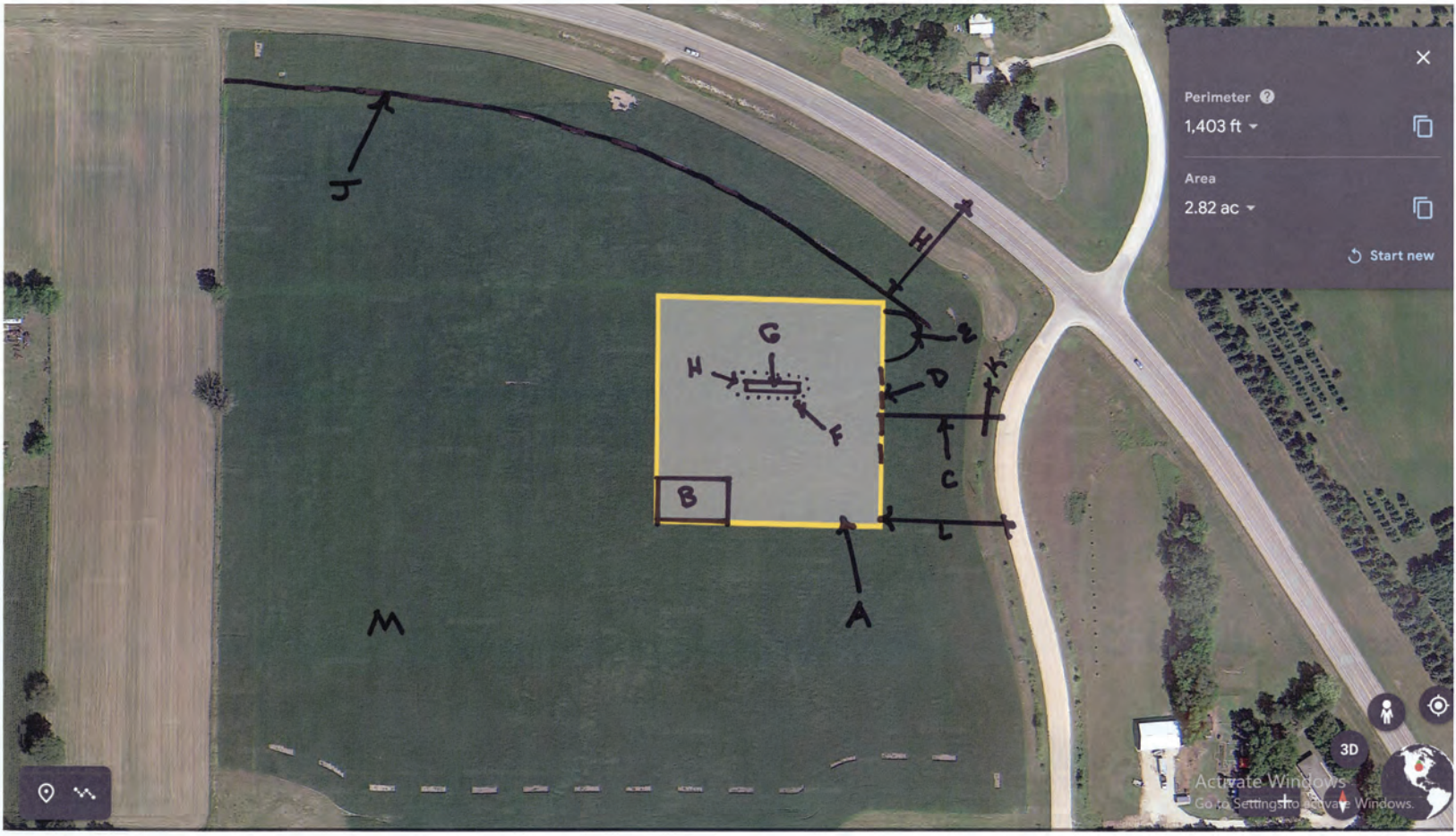
Perimeter
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Legal Description

NE1/4 of the SW1/4 of Section 26, Township 112 North, Range 21 West of the Fifth Principal Meridian, Rice County, Minnesota; excepting therefrom that part thereof lying North and East of State Trunk Highway No. 19

Conditional *or* Interim Use Permits - Provide a detailed response to each review criteria

503.05 E.2. Review criteria for all conditional *or* interim use permits.

In granting or renewing a conditional *or* interim use permit, the Rice County Board of Commissioners shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety and general welfare of occupants of surrounding lands. Among other things, the following findings shall be made:

a. Burden on public facilities. The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities that serve or are proposed to serve the area.

This is not a retail or high traffic storage lot. Will not harm or impose any burden including higher traffic counts of any sort.

b. Sewer and water. The site is adequate for water supply and on-site sewage treatment.

No water or sewer needed or wanted.

c. Compatible with surrounding uses. The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.

No harm in depreciation to anyone. This is an agriculture facility, and distanced from any property that could be effected.

d. Appearance. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.

The lot will be kept clean and grass planted and mowed. This will be new and freshly painted project and will be nicer than any structure around.

e. County needs. The use is reasonably related to the overall needs of the County and to the existing land use.

The purpose of the lot is to facilitate home heating demand and agriculture needs in the county.

f. Zoning district purposes. The use is consistent with the purposes of this Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

The use is consistent with the propane storage facility uses.

g. Comprehensive Plan. The use is in conformance with the Rice County Comprehensive Plan.

Commercial & Industrial, use is consistent with the propane storage facility uses.

h. Traffic. The use will not cause traffic hazard or congestion.

This will be a low traffic project as its used for storage and not retail business needs.

i. Effect on businesses. Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare or general unsightliness.

No business in the area will be impacted (no businesses in the immediate area), its more for the facilitation of heating and agriculture needs.

j. Soil erosion. The use shall provide for the prevention of soil erosion or other possible pollution of public waters, both during and after construction.

no erosion concerns, built on high ground and water on new lot will drain to a water garden.

k. Visual impact. The visibility of structures and other facilities as viewed from public waters is limited.

no public water views. This will look like any other agricuute area,structure in the area.

l. Watercraft. The types, uses, and number of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.

NA watercraft uses for this CUP needs.

m. Other. Any other factors bearing on public health, safety or welfare.

All setbacks will be followed and will be greater than required from roads or any structure. Newest

Add additional pages as needed

Brian Lynch

Project Overview

This is a storage lot for a bulk propane tank 45,000 gals and pole barn. This is not for retail use and will be used to help with area heating and agriculture needs sold by Waterford Oil. Waterford Oil is headquartered in Northfield and is NOT moving to this project. Our headquarters is staying in Northfield and our equipment parks all around the state of MN. This is a 2.9 Acre project that will look like any agriculture lot/setup in the county. This will not be a storage lot heavily traveled by our fuel trucks. The lot will have electric gate, water garden for drainage and no pollution concerns to any neighboring properties. No noise concerns or any disturbance to area residence.

Map Legend

A.) 350'x350' or 2.9 acre gravel parking lot to hold a propane tank and pole barn shed. This is a storage lot, NO RETAIL SALES.
B.) 60' x100' pole barn shed.
C.) Gravel Driveway.
D.) Chain link gate powered by electric.
E.) Water garden. Nature grade of lot will drain into water garden.
F.) Electric pole yard light.
G.) 45,000 gallon propane storage tank- for residential heat and agriculture sales. NO retail sales or traffic. 200' feet away from all right aways and buildings.
H.) Concrete poles to guard tank.
I.) 200' set back from state highway 19 to start of lot.
J.) Right away boundary from state highway 19, 200ft.
K.) Culvert installed for driveway.
L.) Minimum setback required from gravel road will be used.
M.) Parcel involved is 31 acres and is colored green on map.

Brian Lynch
Vice President.
Waterford Oil Co., Inc.
Office: 507-645-5659
Cell: 612-919-8249
Fax: 507-645-2226
Email:brian.lynch@waterfordoil.com
www.waterfordoil.com

WATERFORD
OIL COMPANY

NOTE: Waterford Oil Co., Inc. (or its personnel) is not acting as your agent or advisor and you are encouraged to seek independent advice, as necessary, prior to entering into any transaction. Derivatives trading/ petroleum contracts involve substantial risk of loss, and you should fully understand those risks prior to trading. Any reference to past performance is not indicative of future results.

Business Confidential

From: Schnell, Tracy (DOT)
To: RCPlanningZoning
Cc: Wayne, Kurt (He/Him/His) (DOT); Schnell, Tracy (DOT)
Subject: Rice County Minnesota Board of Adjustment Items
Date: Friday, May 19, 2023 12:12:57 PM
Attachments:

[This message was received from an external source. Do not click links or open attachments unless verified. Please report all suspicious emails to Rice County IT using the Phishing Alert button.]

These proposals appear to have no significant impact on MnDOT roadways and are acceptable to MnDOT.

Variance/Drager - Section 15, Forest Township

Variance/Whipple- Section 15, Wells Township

Variance/Grossman - Section 31, Forest Township

Conditional Use Permit/Lindenfelser

Final Plat/Johnson - Section 8, Wells Township

Waiver of Plat/Schwartz - Section 30, Morristown Township

Conditional Use Permit/Lynch- Section 26, Webster Township

Waiver of Plat/Olson - Section 5, Wheatland Township

Thanks,

Tracy Schnell
Senior Planner | District 6

Minnesota Department of Transportation
2900 48th Street NW
Rochester, MN 55901
C: 507-259-3852
mndot.gov/

RICE COUNTY
ENVIRONMENTAL SERVICES DEPARTMENT
MEMORANDUM

TO: Planning Commission
FROM: Trent McCorkell, Rice County Zoning Administrator
HEARING DATE: May 25, 2023
SUBJECT: Olson – Waiver of Plat, TDR

SUMMARY OF THE APPLICATION
Hunter Olson, on behalf of landowners Kevin and Rita Olson, has applied for a Waiver of Plat to create a new building site through the use of a Transfer Development Right. A 2.5-acre parcel is being separated from the current 41.5-acre property with the TDR coming from a 40-acre area about 3/4 of a mile SW in Section 7.

Application Data

APPLICANT: Hunter Olson

LOCATION: Part of the SW1/4 of the NW1/4, Section 5, Wheatland Township, Rice County, Minnesota. PID#: 01.05.2.50.001

ZONING: The property is Zoned A, Agricultural.

Lot Area/Dimensions

	Lot Area	**Lot Width**	**Lot Depth**	**¼ ¼ CER(s)**
Proposed TDR receiving parcel	2.5-acres	165-ft	660-ft	80
Current Parcel	41-acres approximately	1/4 mile	1/4-mile	80
TDR sending area(s)	40-acres approximately	1/4 mile approx.	1/4 mile approx.	86
Requirements for TDR receiving Parcels	Min 1.0-acre to Max 2.5-acres	50-ft Minimum	N/A	N/A

Location
The receiving site is located on the east side of Lake Ave., approximately 4.5-miles northwest of the City of Lonsdale.

Septic System
Soils information has been submitted showing two suitable potential septic sites.

Roads and Access
A new driveway from Lake Ave has been permitted for access.

Existing Site Conditions
Photos of the property will be provided at the meeting

Applicable Zoning Ordinance Sections
Sections 509.04, 520, 521 and 523

If approved, conditions might include:

1. The new 2.5-acre Transfer Development Right (TDR) receiving parcel shall contain one single family dwelling.

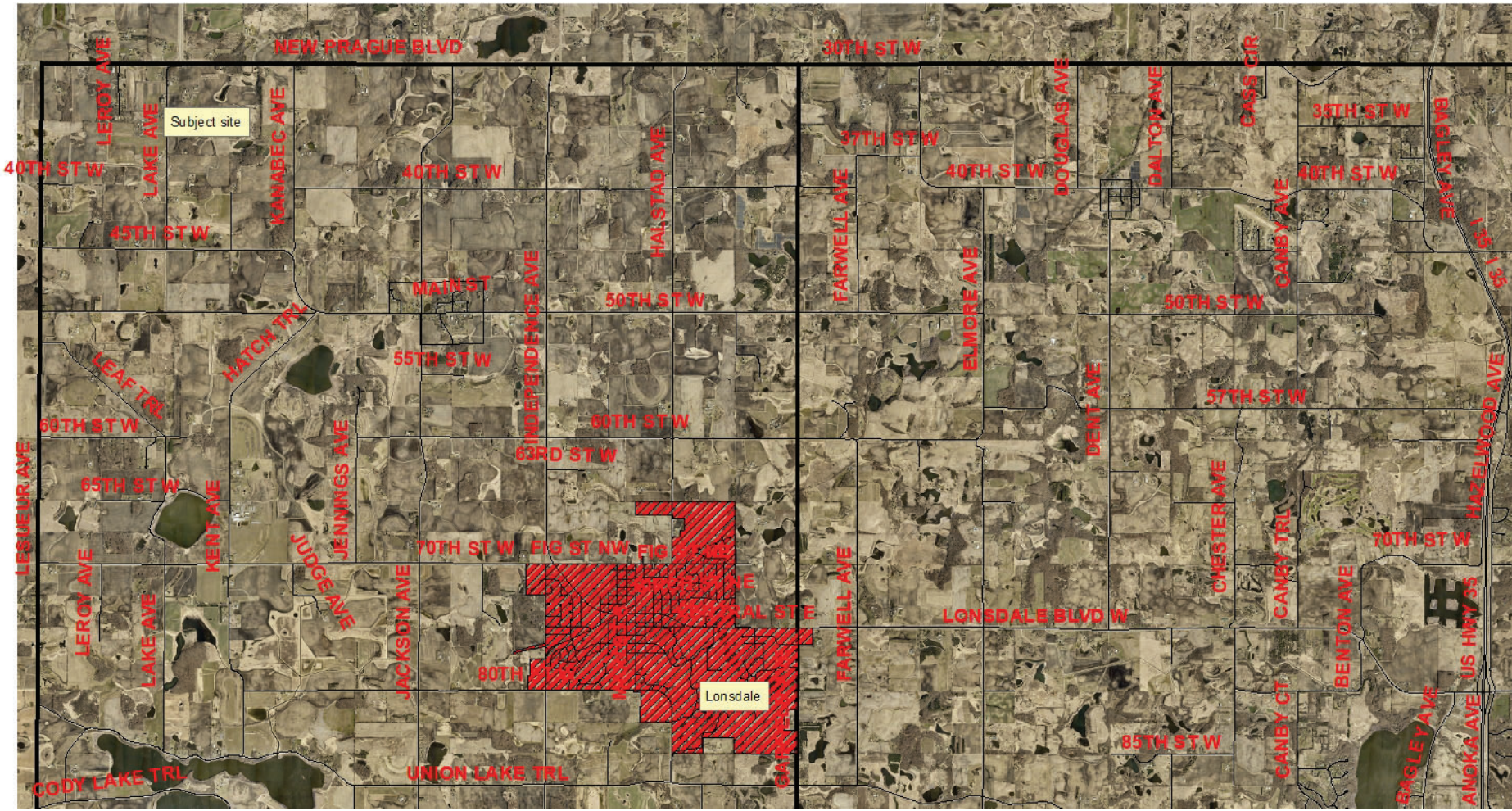
2. Any new construction on the parcels is to adhere to all Rice County codes and ordinances.

3. The remaining parcel and TDR receiving parcel shall not be further subdivided or combined with other land(s) unless approved under the Rice County subdivision regulations.

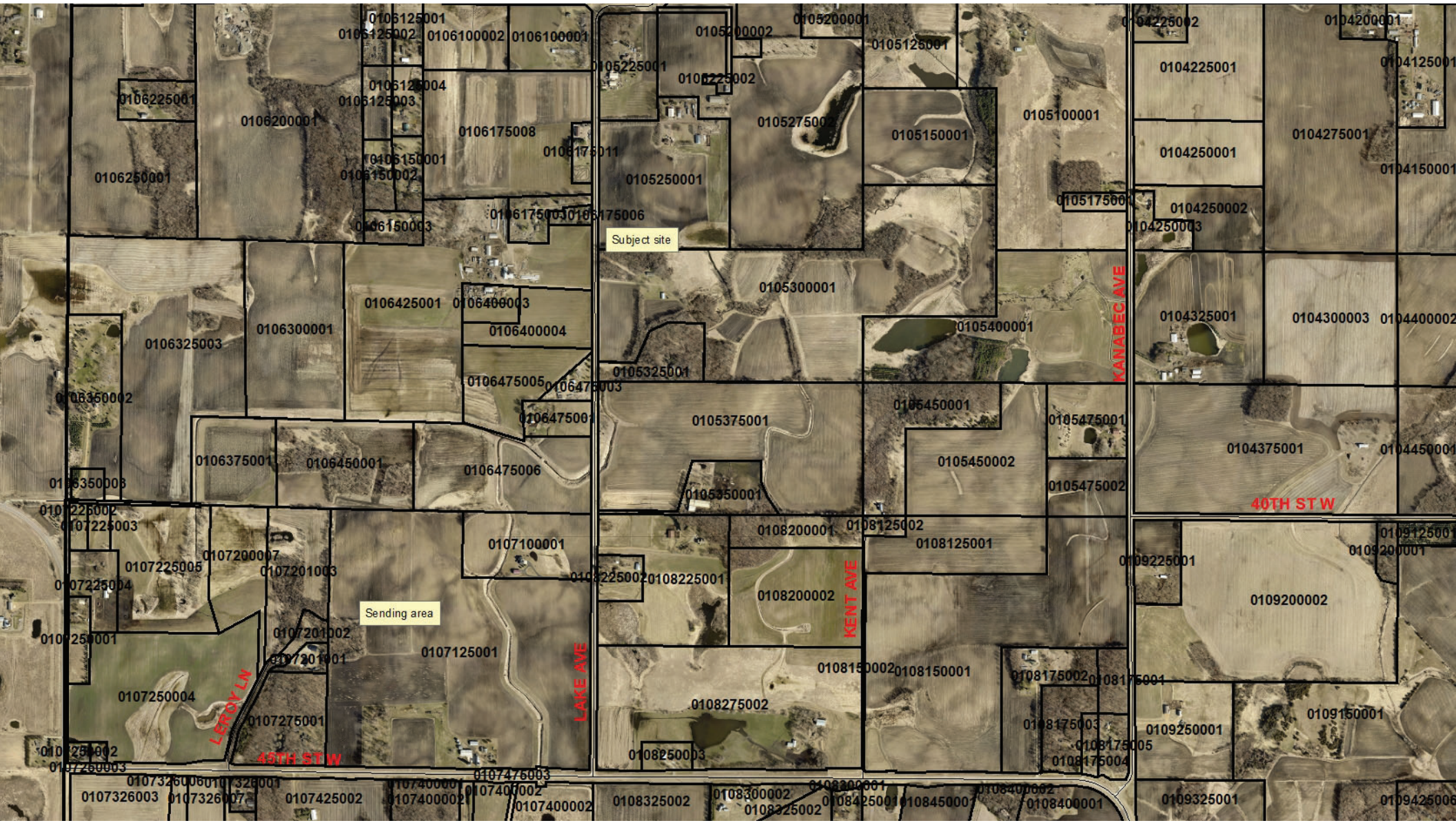
4. The conservation easement for the TDR sending area shall be recorded at the same time or before the new parcel is recorded.

5. Within one year of this approval the applicant shall record a new deed, at the Rice County Recorders Office, containing just the TDR receiving parcel.

6. In-lieu park dedication fee of $500 shall be paid prior to recording of the new parcel.


NEW PRAGUE BLVD
30TH ST W
LEROY AVE
LAKE AVE
Subject site
KANABEC AVE
40TH ST W
45TH ST W
HALSTAD AVE
MAIN ST
50TH ST W
HATCH TRL
LEAF TRL
55TH ST W
60TH ST W
63RD ST W
65TH ST W
KENT AVE
JENNINGS AVE
LESUEUR AVE
70TH ST W
FIG ST NW
JACKSON AVE
80TH
Lonsdale
UNION LAKE TRL
CODY LAKE TRL
FARWELL AVE
DOUGLAS AVE
DALTON AVE
CASS CIR
35TH ST W
EAGLEY AVE
ELMORE AVE
CANBY AVE
DENT AVE
57TH ST W
CHESTER AVE
CANBY TRL
HAZELWOOD AVE
LONSDALE BLVD W
BENTON AVE
US HWY 55
CANBY CT
85TH ST W
ANOKA AVE

0106175011
0106175008
0106175003
0106175006
LAKE AVE
0105250001
0105275002
0105150001
Subject site
0106425001
0105300001
0106400004
0105325001
0105400001
0106475005
0106475003


Subject site
Sending area
KANABEC AVE
KENT AVE
LAKE AVE
LEROY LN
40TH ST W
45TH ST W
0105125001
0106125002
0106100002
0106100001
0105200002
0105200001
0105125001
0104225002
0104200001
0104225001
0104125001
0106225001
0106125004
0106125003
0105225001
0105225002
0106200001
0106175008
0106175011
0105275001
0105100001
0105150001
0104275001
0104250001
0104150001
0106250001
0106150001
0106150002
0105250001
0105175001
0104250002
0104250003
0106175005
0106175006
0106150003
0105300001
0106425001
0106400003
0106400004
0106300001
0106325003
0105400001
0104325001
0104300003
0104400002
0105325001
0106475005
0106475003
0106350002
0106475001
0105450001
0105475001
0105375001
0104375001
0104450001
0106375001
0106450001
0106475006
0105450002
0106350003
0105475002
0105350001
0107225002
0107225003
0108200001
0108125002
0108125001
0109125001
0109200001
0107100001
0107200007
0107225005
0107201003
0108225002
0108225001
0109225001
0107225004
0108200002
0109200002
0107201002
0107201001
0107125001
0107250001
0108150002
0108150001
0108175002
0108175001
0107250004
0107275001
0108275002
0109150001
0108175003
0109250001
0107250002
0108175005
0107250003
0108250003
0108175004
0107326006
0107326001
0107326003
0107326007
0107425002
0107400001
0107400002
0107475003
0108325002
0108300002
0108325002
0108425001
0108450001
0108400002
0108400001
0109325001
0109425006

Zoning Waiver of Plat (WOP) UID # 11644
App. Status: Pending Review

Property Information

Parcel Information:	**Parcel Information** / **Owner Information** **Parcel ID Number** | **Site Address** | **City** | **Zoned as** | **Owner Name** 01.05.2.50.001 | 3245 LAKE AVE | NEW PRAGUE | AGRICULTURAL | OLSON KEVIN M & RITA
Are you the landowner?	Yes
Will you be using an Authorized Agent?	No

Applicant Information

Applicant Information:	Name: Hunter Lee Olson Phone #1: (612) 366 - 7604 Phone #2: (366) 366 - 7604 Email Address: hunter.olson@gmail.com Mailing Address: 3245 Lake Ave. 3245 Lake Ave. New Prague MN 56071

Site Plan

Location of Project:	
Please see attached site plan:	File 1: 20220120_114105.jpg
Certificate of Survey:	File 1: 2022-01-19_124819_CERT_OF_SURVEY.pdf File 2: 2023-03-08_OLSON_SURVEY_SKETCH_Kevin_and_Rita_Prop.pdf
Will there be a new or change in use driveway?	Yes

Soil/Septic Information

Soil/Septic information:	File 1: Hunter_SepticDesign.pdf

Subdivision Review Process

Is a transfer development right being used with this WOP?	Yes

Sending & Receiving Property

TDR Sending Property legal description.:	File 1: Hunter_Olson_Conservation_Easement.pdf File 2: Legal_Description_-_Jindra__Sending_Area.pdf
Please fill out TDR and Conservation Easement Forms:	File 1: TDR_Form_-_Greg_Jindra.pdf

Driveway Permit

Driveway permit:	File 1: Gmail_-_Fwd__Wheatland_approved_driveway_permits.pdf

Additional Information

Additional Information:	File 1: Purchase_Agreement_-_Greg_Jindra.pdf File 2: Purchase_Agreement_-_Kevin__and_Rita_Olson.pdf

Terms

Terms and Conditions

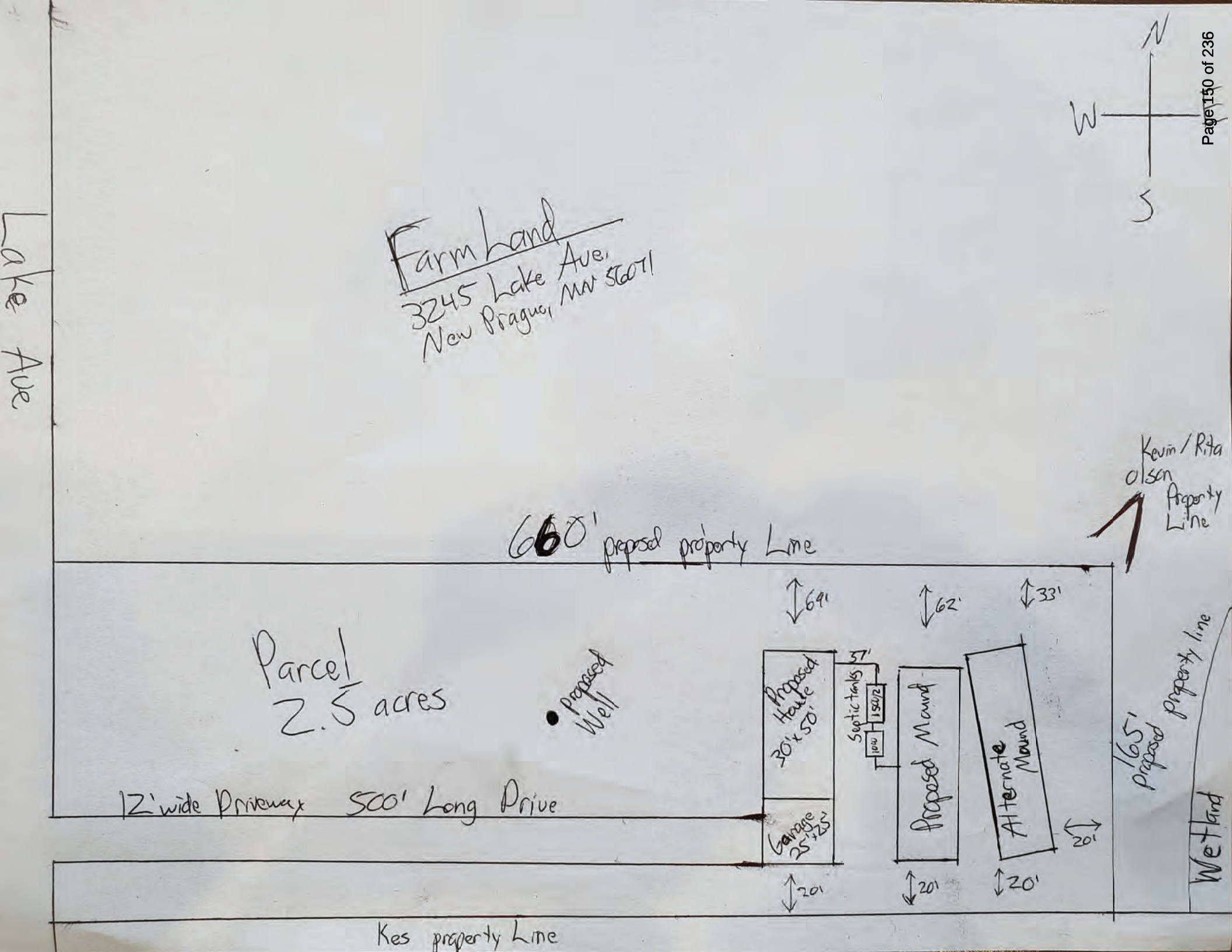
By checking the box above, I hereby certify that all data contained herein, as well as supporting data, are true and correct.
Landowner or Applicant or Representative must attend the scheduled public hearings.

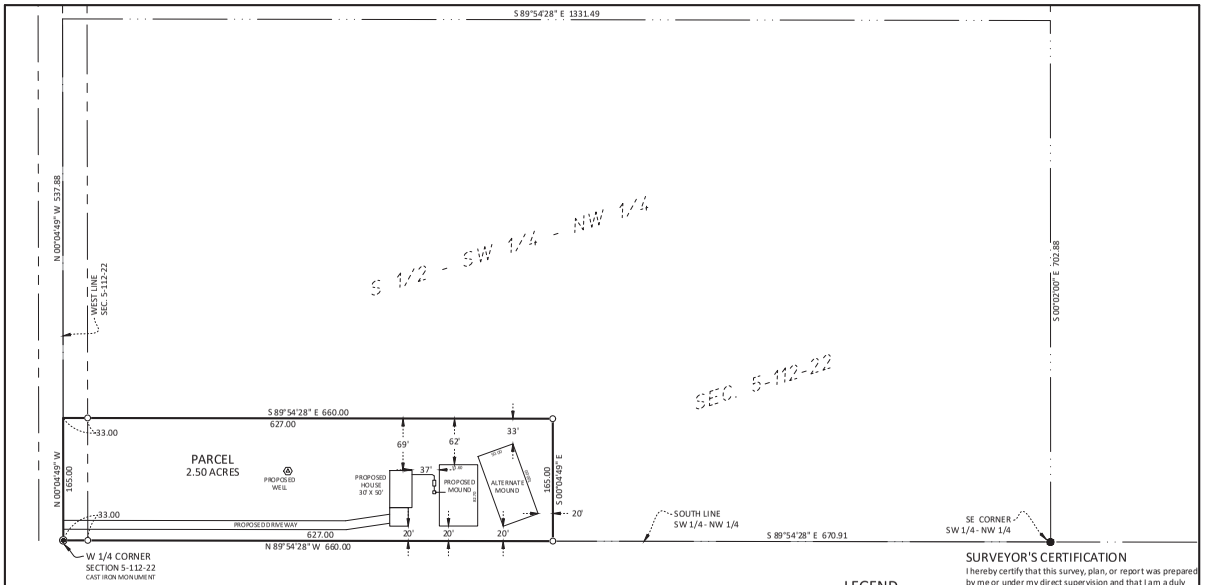
Public Notes

Text:	1/25/22 pc - Please provide the recorded legal description of the TDR sending parcel - the tax description is not eligible. Also required is the completed Conservation Easement form. Rec'd 5/4/23. 5/4/23 CK - Item scheduled to be heard at the May 25, 2023 Planning Commission.
File(s):	----------

Internal Notes

Text:	
File(s):	----------


N
W
S
Farm Land
3245 Lake Ave.
New Prague, MN 56071
Lake Ave
Kevin / Rita Olsen Property Line
660' proposed property Line
64'
62'
33'
Parcel
2.5 acres
Proposed Well
Proposed House 30'x50'
Garage 25'x25'
Septic tanks
1500 gal
1000 gal
57'
Proposed Mound
Alternate Mound
20'
20'
20'
20'
165' proposed property line
Wetland
12' wide Driveway
500' Long Drive
Kes property Line



DESCRIPTION

That part of the South Half of the Southwest Quarter of the Northwest Quarter of Section 5, Township 112 North, Range 22 West, Rice County, Minnesota, described as follows: Beginning at the West Quarter Corner of said Section 5; thence North 00 degrees 04 minutes 49 seconds West (bearings based on Rice County Coordinate System NAD83, 1996 Adjustment) on the west line of said Section 5, a distance of 165.00 feet; thence South 89 degrees 54 minutes 28 seconds East, a distance of 660.00 feet; thence South 00 degrees 04 minutes 49 seconds East, a distance of 165.00 feet to the south line of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 54 minutes 28 seconds West on said south line, a distance of 660.00 feet to the point of beginning.

Said parcel contains 2.50 acres of land.

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0 200
SCALE IN FEET

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 46564
- MONUMENT FOUND

SURVEYOR'S CERTIFICATION

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

Michael M. Eichers
License Number 46564

01/19/2022
Date

CERTIFICATE OF SURVEY

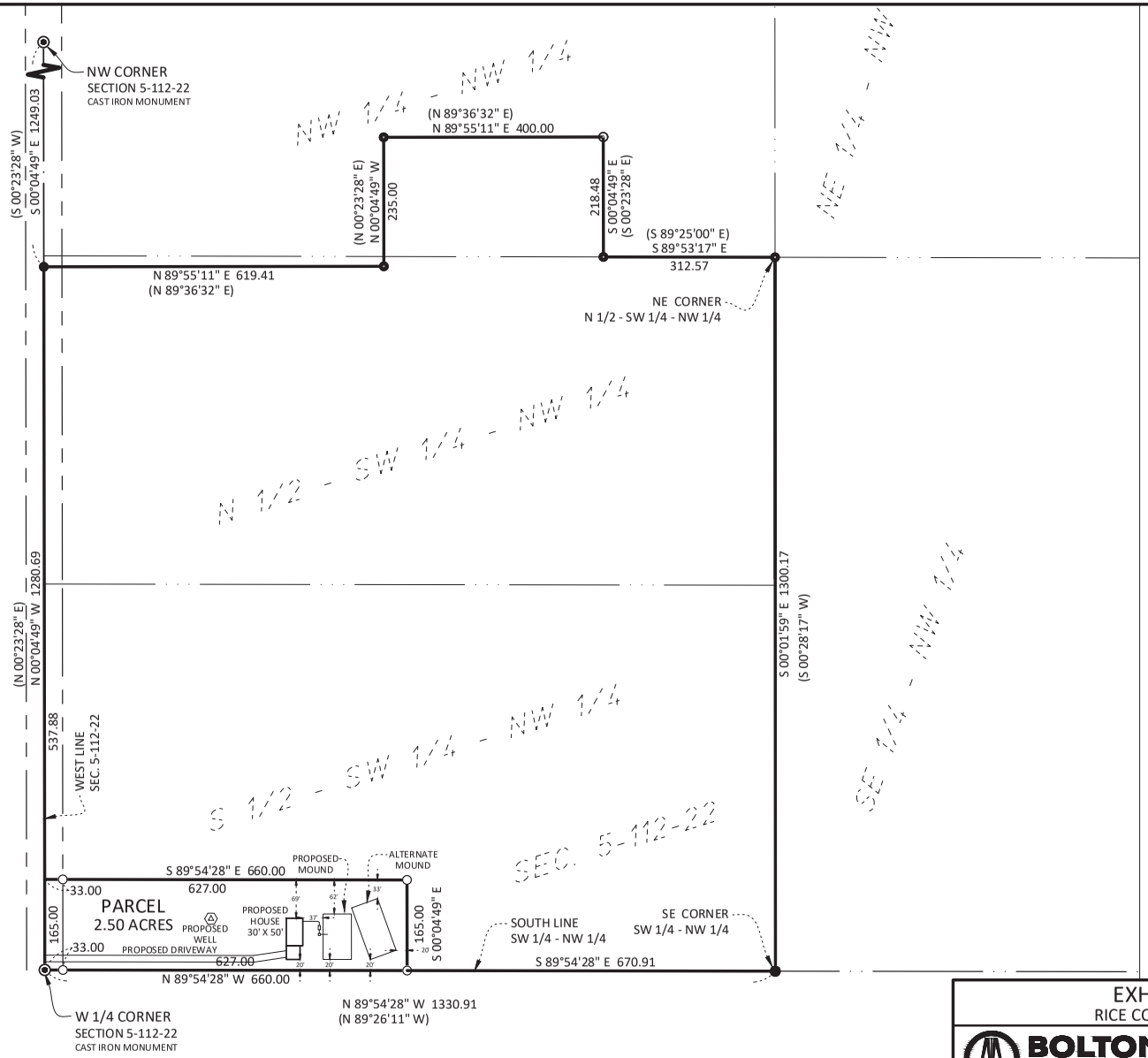
RICE COUNTY, MINNESOTA

BOLTON & MENK
1960 PREMIER DRIVE
MANKATO, MINNESOTA 56001
(507) 625-4171

THAT PART OF THE S 1/2 OF THE SW 1/4 OF THE NW 1/4 OF SECTION 5, TOWNSHIP 112 NORTH, RANGE 22 WEST, RICE COUNTY, MINNESOTA

FOR: HUNTER OLSON

H:\OLSONHUN_PR\0M3124819\CAD\C3D\124819_V_PROP_N1.dwg 1/19/2022 2:21 PM SDB124819H JOB NUMBER: 0M3.124819 FIELD BOOK: 91B PG 64 DRAWN BY: JLA 12.0 S5-T112N-R22W



DESCRIPTION

Part of the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 5, Township 112, Range 22, Rice County, Minnesota, described as follows: Commencing at the Northwest Corner of said Section 5; thence on an assumed bearing of South 00 degrees 23 minutes 28 seconds West along the West line of said Northwest Quarter 1249.03 feet to the point of beginning of the tract to be described; thence South 89 degrees 36 minutes 32 seconds East 619.41 feet; thence North 00 degrees 23 minutes 28 seconds East 235.00 feet; thence South 89 degrees 36 minutes 32 seconds East 400.00 feet; thence South 00 degrees 23 minutes 28 seconds West 218.48 feet to the North line of said Southwest Quarter of the Northwest Quarter; thence South 89 degrees 25 minutes 00 seconds East along said North line 312.57 feet to the East line of said Southwest Quarter of the Northwest Quarter; thence South 00 degrees 26 minutes 17 seconds West along said East line 1300.17 feet to the South line of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 26 minutes 11 seconds West along said South line 1330.91 feet to the West line of said Northwest Quarter; thence North 00 degrees 23 minutes 28 seconds East along said West line 1280.69 feet to the point of beginning. This tract contains 41.48 acres of land and is subject to any and all easements of record.

EXCEPTING THEREFROM

That part of the South Half of the Southwest Quarter of the Northwest Quarter of Section 5, Township 112 North, Range 22 West, Rice County, Minnesota, described as follows: Beginning at the West Quarter Corner of said Section 5; thence North 00 degrees 04 minutes 49 seconds West (bearings based on Rice County Coordinate System NAD83, 1996 Adjustment) on the west line of said Section 5, a distance of 165.00 feet; thence South 89 degrees 54 minutes 28 seconds East, a distance of 660.00 feet; thence South 00 degrees 04 minutes 49 seconds East, a distance of 165.00 feet to the south line of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 54 minutes 28 seconds West on said south line, a distance of 660.00 feet to the point of beginning.

Said parcel contains 2.50 acres of land.

0 200

SCALE IN FEET

SURVEYOR'S CERTIFICATION

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

Michael M. Eichers
License Number 46564

03/08/2023
Date

EXHIBIT SKETCH
RICE COUNTY, MINNESOTA

BOLTON & MENK

1960 PREMIER DRIVE
MANKATO, MINNESOTA 56001
(507) 625-4171

THAT PART OF THE NW 1/4 OF SECTION 5, TOWNSHIP 112 NORTH, RANGE 22 WEST, RICE COUNTY, MINNESOTA

FOR: HUNTER OLSON

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L:\NEW JOBS WITH NO NUMBERS YET\2023-03-08 OLSON SURVEY SKETCH.dwg 3/8/2023 11:13 AM SDB 124819H JOB NUMBER: 0M3.124819 FIELD BOOK: SEE FILE DRAWN BY: JLA 12.0 S5-T112N-R22W

EXHIBIT A

SENDING AREA - LEGAL DESCRIPTION

The Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) in Section Number Seven (7), Township One Hundred and Twelve (112), Range Twenty-Two (22), Rice County, Minnesota.

EXHIBIT A

SENDING AREA - LEGAL DESCRIPTION

The Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) in Section Number Seven (7), Township One Hundred and Twelve (112), Range Twenty-Two (22), Rice County, Minnesota.

RICE COUNTY
SEPTIC PERMIT APPLICATION

Required Attachments:
- ☐ Soil Logs ☐ Site Plan
- ☐ Design Worksheets
- ☐ Management Plan
- ☐ **Permit Fee**

County Use: Mar. 2018 Permit Application
Date received ___/___/___
Fee paid:
Am't $ _____ ck# _____
Receipt# _____

Property Hunter Olson Ph# 612-366-7604
Owner ☐ check if Buyer
Project Address Lake Ave Email _____
Parcel# _____

Conveys existing system to be Non-Compliant
☐ In lieu of Compliance Inspection

○ Replace Non-Compliant System
If checked must identify a reason below
- ☐ for Property Transfer
- ☐ for Building Permit/Variance/CUP
- ☐ Voluntary *other* _____
- ☒ New Home/Structure w/Plmbg.

Structure Type: ☒ Single family House Type: (I) II
☐ Other Structure
3 Bedrooms GPD 450

System Type:
I *Standard* **II** *Sands/Holding Tanks*
III *Other* ←OP required→ **IV** *Registered product*

Garb. Disposal ☐Yes ☒No
Basement lift pump ☐Yes ☒No
STS area protected (Y) / N ☐ flagged ☒ fenced
Reserve Area? ☒Yes ☐No (identify on site plan if present)

SETBACKS: ☐Variance application attached
Prop. Lines 20' Structures to tank 30' & Structures to STS 36'
Well casing depth ☒≥50' ☒Installation pending or ☐<50'shallow
Well(s) to tank >50' Well(s) to STS >50'
Well to buried sewer line >50' *(20 to 50' air test required)*
Shoreland= *<1000 ft water body* ☒N/A setback ____' Lake: _____
☒Wetland (30ft) *Classification:* ☐GDS (50ft) ☐RDS (75ft) ☐NES (150ft)
Wellhead Protection Area ☐Yes ☒No Floodplain ☐Yes ☒No

TANKS: Approx. depth of cover 2.5 ft
if <2 ft must insulate maximum 4ft bury new structure

Septic 1500/2 gal ☒ New ☐ Existing
Septic _____ gal ☐ New ☐ Existing
☐ Holding Tank
Pump 1000 gal ☒ New ☐ Existing
Mfgr: Belle Plaine B-T
Model: TNK1000
Effluent Screen ☐ if Yes/Alarm recommended ☒ No
Screen Mfgr/model# _____

PUMP: 29 GPM 14.6 ft Head
Alarm: ☒audio/visual automatic
☐manual pop up/seasonal

PUMPLINE:
diameter 2 " length 20 ft

Pump Stations require an event counter

Notify:
☒ Owner ○ Buyer
○ Installer ○ Designer
or _____
When permit ready for issue

SOIL TREATMENT
AREA: Depth to restricting layer 12 " Soil loading rate 0.45 gpd/ft²
Soil color at treatment depth (@12" if mound) 10YR/3/3
Depth of media below pipe 9 " REGISTERED MEDIA TYPE: ☒Rock ☐ Chamber ☐ Ez-flow ☐Either
☐ yes ☐ no Were soils verified prior to design submittal sandy or coarse sand/gravel soils require soil verification prior to permitting

TRENCHES/BED: Proposed Depth of system _____ "
pressurized ☐Yes ☐No
(if yes flushing valves required)
Sq. Ft. _____ If Trenches/Lineal Ft. _____ L.F.

MOUND: absorption ratio 2.6 per Table IX Media Bed 10' x 38 ft Sand 24 " % slope 17
(flushing valves required)
Lateral diameter 2 " Perf. size/spacing 7/32 " @ 3 ft

AT-GRADE: absorption ratio _____ Media Bed Size _____ x _____ ft % slope _____
(flushing valves required)
Lateral diameter _____ " Perf. size/spacing _____ " @ _____ ft

I hereby certify with my signature that all data and attached specifications for this SSTS design plan are true and correct to the best of my knowledge. I agree to indemnify Rice County from all losses, damages, costs and charges that may be incurred by the County because of my failure to conform to and comply with the provisions of this Ordinance.

Designer: Name (*please print*)	Signature	License #	Daytime phone #	Date
AL REAK	Al Reak	790	612-532-5444	12-3-21

_____ _____
Owners signature Date

I hereby certify with my signature that all data on my application forms, plans and specifications are true and correct to the best of my knowledge.

2018SPA

Onsite Sewage Treatment Program

Preliminary Evaluation Worksheet

MINNESOTA POLLUTION CONTROL AGENCY

v 04.01.2021

1. Contact Information

Property Owner/Client:	HUNTER OLSON	Date Completed:	12/2/2021
Site Address:	LAKE AVE, NEW PRAGUE 56071	Project ID:	49-21
Email:		Phone:	612-366-7604
Mailing Address:	3245 LAKE AVE, NEW PRAGUE 56071	Alt Phone:	
Legal Description:			
Parcel ID:	SEC:	TWP:	RNG:

2. Flow and General System Information

A. Client-Provided Information

Project Type: ☑ New Construction ☐ Replacement ☐ Expansion ☐ Repair

Project Use: ☑ Residential ☐ Other Establishment:

Residential use: # Bedrooms: 4 Dwelling Sq.ft.: Unfinished Sq. Ft.:

Adults: 2 # Children: # Teenagers:

In-home business (Y/N): NO If yes, describe:

Water-using devices: *(check all that apply)*

- ☐ Garbage Disposal/Grinder
- ☐ Sewage pump in basement
- ☐ Large Bathtub >40 gallons
- ☑ Clothes Washing Machine
- ☑ Dishwasher
- ☑ Water Softener*
- ☐ Iron Filter
- ☑ High Eff. Furnace*
- ☐ Hot Tub*
- ☐ Sump Pump*
- ☐ Self-Cleaning Humidifier*
- ☐ Other:

* Clear water source - should not go into system

Additional current or future uses:

Anticipated non-domestic waste:

The above is complete & accurate: ***Client signature & date***

B. Designer-determined flow Information *Attach additional information as necessary.*

Design Flow: 600 GPD Anticipated Waste Type: DOM

BOD: mg/L TSS mg/L Oil & Grease mg/L

3. Preliminary Site Information

A. Water Supply Wells

#	Description	Mn. ID#	Well Depth (ft.)	Casing Depth (ft.)	Confining Layer	STA Setback	Source
1	NEW						
2							
3							
4							

Additional Well Information:

Onsite Sewage Treatment Program

Preliminary Evaluation Worksheet

MINNESOTA POLLUTION CONTROL AGENCY

Site within 200' of noncommunity transient well (Y/N)	No	Yes, source:	
Site within a drinking water supply management area (Y/N)	No	Yes, source:	
Site in Well Head Protection inner wellhead management zone (Y/N)	No	Yes, source:	
Buried water supply pipes within 50 ft of proposed system (Y/N)	No		
B. Site located in a shoreland district/area?	No	Yes, name:	
Elevation of ordinary high water level:	ft	Source:	
Classification:	Tank Setback: ft.	STA Setbk: ft.	
C. Site located in a floodplain?	No	Yes, Type(s):	N/A
Floodplain designation/elevation (10 Year):	N/A ft	Source:	N/A
Floodplain designation/elevation (100 Year):	N/A ft	Source:	N/A

D. Property Line Id / Source: ☑ Owner ☐ Survey ☑ County GIS ☐ Plat ☐ Otl

E. ID distance of relevant setbacks on map: ☑ Water ☐ Easements ☑ Well(s) ☑ Building(s) ☑ Property Li ☐ OHWL ☐ Other

4. Preliminary Soil Profile Information From Web Soil Survey (attach map & description)

Map Units: | Slope Range: %

List landforms:

Landform position(s):

Parent materials:

Depth to Bedrock/Restrictive Feature: 12 in | Depth to Watertable: 12 in

Map Unit Ratings

Septic Tank Absorption Field- At-grade:

Septic Tank Absorption Field- Mound:

Septic Tank Absorption Field- Trench:

5. Local Government Unit Information

Name of LGU: RICE

LGU Contact: MARILEE

LGU-specific setbacks: YES

LGU-specific design requirements:

LGU-specific installation requirements:

Notes:

Onsite Sewage Treatment Program

Field Evaluation Worksheet

MINNESOTA POLLUTION CONTROL AGENCY

1. Project Information

v 04.01.2021

Property Owner/Client:	HUNTER OLSON	Project ID:	49-21
Site Address:	LAKE AVE, NEW PRAGUE 56071	Date Completed:	12/2/2021

2. Utility and Structure Information

Utility Locations Identified ☐ Gopher State One Call # _____ ☐ Any Private Utilities: _____

Locate and Verify (*see Site Evaluation map*) ☐ Existing Buildings ☐ Improvements ☐ Easement ☑ Setbacks

3. Site Information

Vegetation type(s):	GRASS	Landscape position:	Back/ Side Slope
Percent slope:	17 %	Slope shape:	Linear, Linear
Slope direction:	EAST		

Describe the flooding or run-on potential of site: DIVERT WATER

Describe the need for Type III or Type IV system:

Note:

Proposed soil treatment area protected? (Y/N): Yes If yes, describe: FENCING

4. General Soils Information

Filled, Compacted, Disturbed areas (Y/N): No

If yes, describe:

Soil observations were conducted in the proposed system location (Y/N): Yes

A soil observation in the most limiting area of the proposed system (Y/N): Yes

Number of soil observations: 4 Soil observation logs attached (Y/N): Yes

Percolation tests performed & attached (Y/N): No

5. Phase I. Reporting Information

	Depth		Elevation		
Limiting Condition*:	12	in	98.0	ft	**Most Restrictive Depth Identified from List Below*
Periodically saturated soil:	12	in	98.0	ft	Soil Texture: Silty Clay Loam
Standing water:		in		ft	Percolation Rate: min/inch
Bedrock:		in		ft	Soil Hyd Loading Rate: 0.45 gpd/ft^2
Benchmark Elevation:	100.0	ft			Elevations and Benchmark on map? (Y/N): Yes

Benchmark Elevation Location: BASEMENT FLOOR STAKE

Differences between soil survey and field evaluation:

Site evaluation issues / comments:

Anticipated construction issues:

Onsite Sewage Treatment Program

Design Summary Page

MINNESOTA POLLUTION CONTROL AGENCY

1. PROJECT INFORMATION

v 04.01.2021

Property Owner/Client:	HUNTER OLSON	Project ID:	49-21
Site Address:	LAKE AVE, NEW PRAGUE 56071	Date:	12/02/21
Email Address:		Phone:	612-366-7604

2. DESIGN FLOW & WASTE STRENGTH

Attach data / estimate basis for Other Establishments

Design Flow: 600 GPD Anticipated Waste Type: DOM

BOD: ____ mg/L TSS: ____ mg/L Oil & Grease: ____ mg/L

Treatment Level: C *Select Treatment Level C for residential septic tank effluent*

3. HOLDING TANK SIZING

Minimum Capacity: Residential =400 gal/bedroom, Other Establishment = Design Flow x 5.0, Minimum size 1000 gallons

Code Minimum Holding Tank Capacity: ____ Gallons in ____ Tanks or Compartments

Recommended Holding Tank Capacity: ____ Gallons in ____ Tanks or Compartments

Type of High Level Alarm: ____ (Set @ 75% tank capacity)

Comments: ____

4. SEPTIC TANK SIZING

A. Residential dwellings:

Number of Bedrooms (Residential): 4

Code Minimum Septic Tank Capacity: 1500 Gallons in 2 Tanks or Compartments

Recommended Septic Tank Capacity: 1500 Gallons in 2 Tanks or Compartments

Effluent Screen & Alarm (Y/N): NO Model/Type: ____

B. Other Establishments:

Waste received by: ____ ____ GPD x ____ Days Hyd. Retention Time

Code Minimum Septic Tank Capacity: ____ Gallons In ____ Tanks or Compartments

Recommended Septic Tank Capacity: ____ Gallons In ____ Tanks or Compartments

Effluent Screen & Alarm (Y/N): ____ Model/Type: ____

5. PUMP TANK SIZING

Pump Tank 1 Capacity (Minimum):	1000 Gal	Pump Tank 2 Capacity (Minimum):	Gal
Pump Tank 1 Capacity (Recommended):	1000 Gal	Pump Tank 2 Capacity (Recommended):	Gal
Pump 1	29.0 GPM	Pump 2	GPM
Total Head	14.6 ft	Total Head	ft
Supply Pipe Dia.	2.00 in	Supply Pipe Dia.	
Dose Vol:	149.0 gal	Dose Vol:	Gal

Onsite Sewage Treatment Program

Design Summary Page

MINNESOTA POLLUTION CONTROL AGENCY

6. SYSTEM AND DISTRIBUTION TYPE

Project ID: 49-21

Soil Treatment Type:	Mound	Distribution Type:	Pressure Distribution-Level
Elevation Benchmark:	100 ft	Benchmark Location:	BASEMENT FLOOR STAKE
MPCA System Type:	Type I	Distribution Media:	Rock
Type III/IV/V Details:			

7. SITE EVALUATION SUMMARY:

Describe Limiting Condition: REDOX AT 12 INCHS

Layers with >35% Rock Fragments? (yes/no) No If yes, describe below: % rock and layer thickness, amount of soil credit and any additional information for addressing the rock fragments in this design.

Note:

	Depth		Depth		Elevation of Limiting Condition	
Limiting Condition:	12	inches	1.0	ft	98.00	ft
Minimum Req'd Separation:	36	inches	3.0	ft		*Critical for system compliance*
					Elevation	
Code Max System Depth:	Mound	inches	-2.0	ft	101.00	ft

This is the maximimum depth to the bottom of the distribution media for required separation. Negative Depth (ft) means it must be a mound.

Soil Texture:	Silty Clay Loam		
Soil Hyd. Loading Rate:	0.45 GPD/ft^2	Percolation Rate:	MPI
Contour Loading Rate:	12	Note:	
Measured Land Slope:	17 %	Note:	
Comments:			

8. SOIL TREATMENT AREA DESIGN SUMMARY

Trench:

Dispersal Area	ft^2	Sidewall Depth	in	Trench Width	ft
Total Lineal Feet	ft	No. of Trenches		Code Max. Trench Depth	in
Contour Loading Rate	ft	Minimum Length	ft	Designed Trench Depth	in

Bed:

Dispersal Area	ft^2	Sidewall Depth	in	Maximum Bed Depth	in
Bed Width	ft	Bed Length	ft	Designed Bed Depth	in

Mound:

Dispersal Area	500.0 ft^2	Bed Length	50.0 ft	Bed Width	10.0 ft
Absorption Width	26.0 ft	Clean Sand Lift	2.0 ft	Berm Width (0-1%)	ft
Upslope Berm Width	7.6 ft	Downslope Berm	34.0 ft	Endslope Berm Width	16.4 ft
Total System Length	82.7 ft	System Width	51.6 ft	Contour Loading Rate	12.0 gal/ft

University of Minnesota Onsite Sewage Treatment Program

Design Summary Page

MINNESOTA POLLUTION CONTROL AGENCY

Project ID: 49-21

At-Grade:

Bed Width	ft	Bed Length	ft	Finished Height	ft
Contour Loading Rate	gal/ft	Upslope Berm	ft	Downslope Berm	ft
Endslope Berm	ft	System Length	ft	System Width	ft

Level & Equal Pressure Distribution

No. of Laterals	3	Perforation Spacing	3 ft	Perforation Diameter	7/32 in
Lateral Diameter	1.50 in	Min Dose Volume	63 gal	Max Dose Volume	150 gal

Non-Level and Unequal Pressure Distribution

	Elevation (ft)	Pipe Size (in)	Pipe Volume (gal/ft)	Pipe Length (ft)	Perf Size (in)	Spacing (ft)	Spacing (in)
Lateral 1							
Lateral 2							
Lateral 3							
Lateral 4							
Lateral 5							
Lateral 6							

Minimum Dose Volume: ____ gal

Maximum Dose Volume: ____ gal

9. Additional Info for At-Risk, HSW or Type IV Design

A. Starting BOD Concentration = Design Flow X Starting BOD (mg/L) X 8.35 ÷ 1,000,000

____ gpd X ____ mg/L X 8.35 ÷ 1,000,00 = ____ lbs. BOD/day

B. Target BOD Concentration = Design Flow X Target BOD (mg/L) X 8.35 ÷ 1,000,000

____ gpd X ____ mg/L X 8.35 ÷ 1,000.00 = ____ lbs. BOD/day

Lbs. BOD To Be Removed: ____

PreTreatment Technology: ____ *Must Meet or Exceed Target

Disinfection Technology: ____ *Required for Levels A & B

C. Organic Loading to Soil Treatment Area:

____ mg/L X ____ gpd x 8.35 ÷ 1,000,000 ÷ ____ ft^2 = ____ $lbs./day/ft^2$

10. Comments/Special Design Considerations:

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

DIRT DIGGERS CONTRACTING INC	AL REAK	790	12/2/2021
(Designer)	(Signature)	(License #)	(Date)

Mound Design Worksheet
≥1% Slope

MINNESOTA POLLUTION CONTROL AGENCY

1. SYSTEM SIZING: Project ID: 49-21 v 04.01.2021

A. Design Flow:	600	GPD
B. Soil Loading Rate:	0.45	GPD/ft²
C. Depth to Limiting Condition	1.0	ft
D. Percent Land Slope:	17.0	%
E. Design Media Loading Rate:	1.2	GPD/ft²
F. Mound Absorption Ratio:	2.60	

Table I
MOUND CONTOUR LOADING RATES:

Measured Perc Rate	* OR *	Texture - derived mound absorption ratio		Contour Loading Rate:
≤ 60mpi	* OR *	1.0, 1.3, 2.0, 2.4, 2.6	-	≤12
61-120 mpi		5.0	-	≤12
≥ 120 mpi*		>5.0*	-	≤6*

TABLE IXa

LOADING RATES FOR DETERMINING BOTTOM ABSORPTION AREA AND ABSORPTION RATIOS USING PERCOLATION TESTS

Percolation Rate (MPI)	Treatment Level C: Absorption Area Loading Rate (gpd/ft²)	Treatment Level C: Mound Absorption Ratio	Treatment Level A, A-2, B: Absorption Area Loading Rate (gpd/ft²)	Treatment Level A, A-2, B: Mound Absorption Ratio
<0.1	-	1	-	1
0.1 to 5	1.2	1	1.6	1
0.1 to 5 (fine sand and loamy fine sand)	0.6	2	1	1.6
6 to 15	0.78	1.5	1	1.6
16 to 30	0.6	2	0.78	2
31 to 45	0.5	2.4	0.78	2
46 to 60	0.45	2.6	0.6	2.6
61 to 120	-	5	0.3	5.3
>120	-	-	-	-

*Systems with these values are not Type I systems. Contour Loading Rate (linear loading rate) is a recommended value.

2. DISPERSAL MEDIA SIZING

A. Calculate Dispersal Bed Area: Design Flow ÷ Design Media Loading Rate

600 GPD ÷ 1.2 GPD/ft² = 500 ft²

If a larger dispersal media area is desired, enter size: _____ ft²

B. Enter Dispersal Bed Width: 10.0 ft *Can not exceed 10 feet*

C. Calculate Contour Loading Rate: Bed Width X Design Media Loading Rate

10 ft² X 1.2 GPD/ft² = 12.0 gal/ft *Can not exceed Table 1*

D. Calculate Minimum Dispersal Bed Length: Dispersal Bed Area ÷ Bed Width

500 ft² ÷ 10.0 ft = 50.0 ft

If a larger dispersal media Length is desired, enter size: _____ ft

3. ABSORPTION AREA SIZING

A. Calculate Absorption Width: Bed Width X Mound Absorption Ratio

10.0 ft X 2.6 = 26.0 ft

B. For slopes >1%, the Absorption Width is measured downhill from the upslope edge of the Bed.

Calculate Downslope Absorption Width: Absorption Width - Bed Width

26.0 ft - 10.0 ft = 16.0 ft

4. DISTRIBUTION MEDIA: Project ID: 49-21

Select Dispersal Media: Rock Enter Either A. or B.

A. Rock Depth Below Distribution Pipe

9 in

B. Registered Media _____

Registered Media Depth _____ in

Check registered product information for specific application details and design

Specific Media Comments:

6. MOUND SIZING

Project ID: 49-21

A. Clean Sand Lift: Required Separation - Depth to Limiting Condition = Clean Sand Lift (1 ft minimum)

3.0 ft - 1.0 ft = 2.0 ft Design Sand Lift (optional): ____ ft

B. Upslope Height: Clean Sand Lift + Depth of Media +Depth to Cover Pipe+ Depth of Cover (1 ft)

2.0 ft + 0.75 ft + ____ ft + 1.0 ft = 3.8 ft

Land Slope %		0	1	2	3	4	5	6	7	8	9	10	11	12
Upslope Berm Ratio	3:1	3.00	2.91	2.83	2.75	2.68	2.61	2.54	2.48	2.42	2.36	2.31	2.26	2.21
	4:1	4.00	3.85	3.70	3.57	3.45	3.33	3.23	3.12	3.03	2.94	2.86	2.78	2.70

C. Select Upslope Berm Multiplier (based on land slope): 2.03

D. Calculate Upslope Berm Width: Multiplier X Upslope Mound Height

2.03 ft X 3.8 ft = 7.6 ft

E. Calculate Drop in Elevation Under Bed: Bed Width X Land Slope ÷ 100 = Drop (ft)

10.0 ft X 17.0 % ÷ 100 = 1.70 ft

F. Calculate Downslope Mound Height: Upslope Height + Drop in Elevation

3.8 ft + 1.70 ft = 5.5 ft

Land Slope %		0	1	2	3	4	5	6	7	8	9	10	11	12
Downslope Berm Ratio	3:1	3.00	3.09	3.19	3.30	3.41	3.53	3.66	3.80	3.95	4.11	4.29	4.48	4.69
	4:1	4.00	4.17	4.35	4.54	4.76	5.00	5.26	5.56	5.88	6.25	6.67	7.14	7.69

G. Select Downslope Berm Multiplier (based on land slope): 6.24

H. Calculate Downslope Berm Width: Downslope Multiplier X Downslope Height

6.24 x 5.5 ft = 34.0 ft

I. Calculate Minimum Berm to Cover Absorption Area: Downslope Absorption Width + 4 feet

16.0 ft + 4 ft = 20.0 ft

J. Design Downslope Berm = greater of 4H and 4I: 34.0 ft

K. Select Endslope Berm Multiplier: 3.00 *(usually 3.0 or 4.0)*

L. Calculate Endslope Berm X Downslope Mound Height = Endslope Berm Width

3.00 ft X 5.5 ft = 16.4 ft

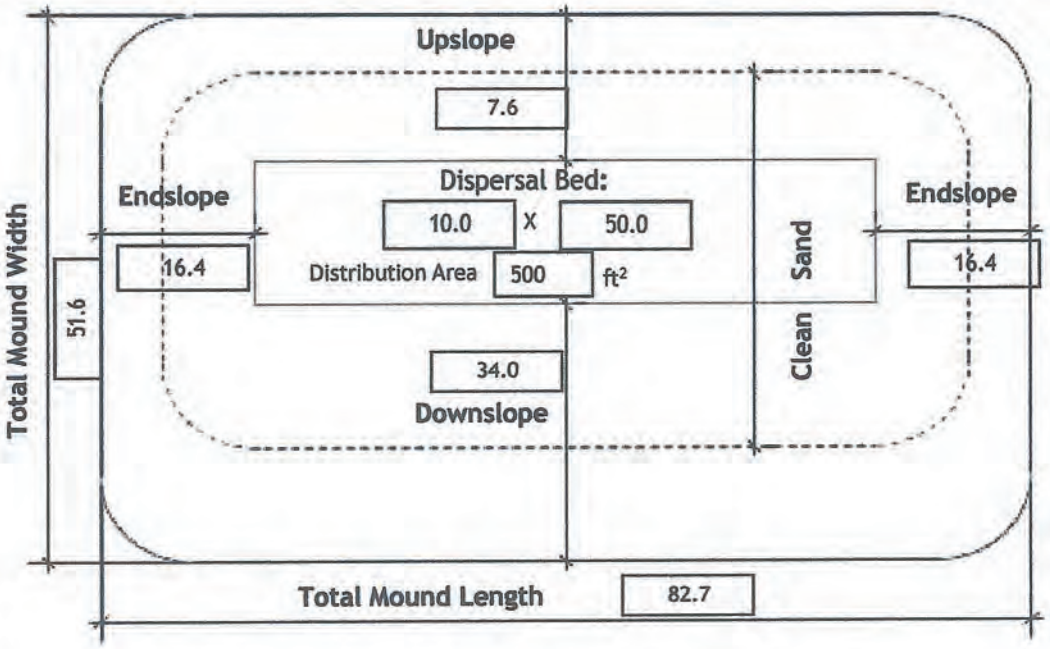
M. Calculate Mound Width: Upslope Berm Width + Bed Width + Downslope Berm Width

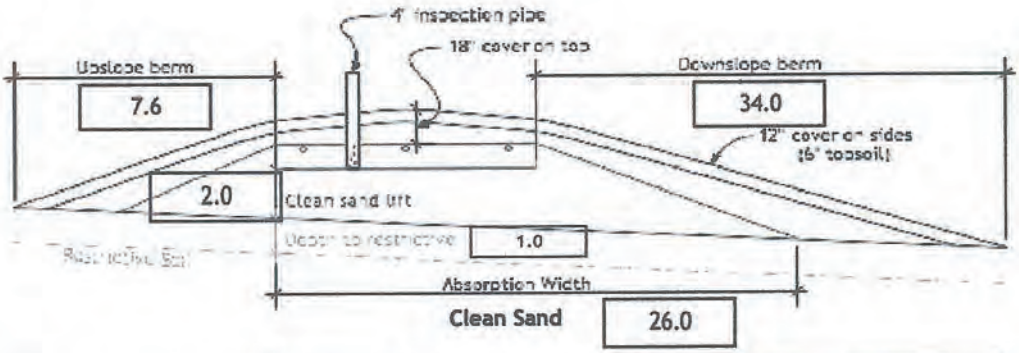
7.6 ft + 10.0 ft + 34.0 ft = 51.6 ft

N. Calculate Mound Length: Endslope Berm Width + Bed Length + Endslope Berm Width

16.4 ft + 50.0 ft + 16.4 ft = 82.7 ft

7. MOUND DIMENSIONS (Feet)	Project ID:	49-21





Required Separation:	36 (in)	Distribution Media:	Rock
Manifold Connection:	CENTER	Media Depth:	9.0 (in)
Perforation Size:	7/32 (in)	Perforation Spacing:	36.0 (in)

If Split and Non-Level Pressure Distribution Used: See Non-Level Pressure Distribution Form

Comments:

Onsite Sewage Treatment Program

Mound Materials Worksheet

MINNESOTA POLLUTION CONTROL AGENCY

Project ID: 49-21 v 04.01.2021

A. Rock *Volume*: (Rock Below Pipe + Rock to cover pipe (*pipe outside dia + ~2 inch*)) X *Bed Length* X *Bed Width* = *Volume*

(9 in + 3.0 in) ÷ 12 X 50.0 ft X 10.0 ft = 500.0 ft^3

Divide ft^3 by 27 ft^3/yd^3 to calculate cubic yards: 500.0 ft^3 ÷ 27 = 18.5 yd^3

Add 30% for constructability: 18.5 yd^3 X 1.3 = 24.1 yd^3

B. Calculate *Clean Sand Volume*:

Volume Under Rock bed: *Average Sand Depth* x *Media Width* x *Media Length* = cubic feet

2.6 ft X 10.0 ft X 50 ft = 1300 ft^3

For a Mound on a slope from 0-1%

Volume from Length = ((Upslope Mound Height - 1) X Absorption Width Beyond Bed X Media Bed Length)

(ft - 1) X X ft =

Volume from Width = ((Upslope Mound Height - 1) X Absorption Width Beyond Bed X Media Bed Width)

(ft - 1) X X ft =

Total Clean Sand Volume: *Volume from Length* + *Volume from Width* + *Volume Under Media*

ft^3 + ft^3 + ft^3 = ft^3

For a Mound on a slope greater than 1%

Upslope Volume: ((*Upslope Mound Height - 1*) x 3 x *Bed Length*) ÷ 2 = cubic feet

((3.8 ft - 1) X 3.0 ft X 50.0) ÷ 2 = 206.3 ft^3

Downslope Volume: ((*Downslope Height - 1*) x Downslope Absorption Width x *Media Length*) ÷ 2 = cubic feet

((5.5 ft - 1) X 16.0 ft X 50.0) ÷ 2 = 1780.0 ft^3

Endslope Volume: (*Downslope Mound Height - 1*) x 3 x *Media Width* = cubic feet

(5.5 ft - 1) X 3.0 ft X 10.0 ft = 133.5 ft^3

Total Clean Sand Volume: *Upslope Volume* + *Downslope Volume* + *Endslope Volume* + *Volume Under Media*

206.3 ft^3 + 1780.0 ft^3 + 133.5 ft^3 + 1300.0 ft^3 = 3419.8 ft^3

Divide ft^3 by 27 ft^3/yd^3 to calculate cubic yards: 3419.8 ft^3 ÷ 27 = 126.7 yd^3

Add 30% for constructability: 126.7 yd^3 X 1.3 = 164.7 yd^3

C. Calculate *Sandy Berm Volume*:

Total Berm Volume (approx): ((Avg. Mound Height - 0.5 ft topsoil) x Mound Width x Mound Length) ÷ 2

(4.6 - 0.5)ft X 51.6 ft X 82.7) ÷ 2 = 8751.5 ft^3

Total Mound Volume - Clean Sand volume -Rock Volume = cubic feet

8751.5 ft^3 - 3419.8 ft^3 - 500.0 ft^3 = 4831.7 ft^3

Divide ft^3 by 27 ft^3/yd^3 to calculate cubic yards: 4831.7 ft^3 ÷ 27 = 179.0 yd^3

Add 30% for constructability: 179.0 yd^3 x 1.3 = 232.6 yd^3

D. Calculate *Topsoil Material Volume: Total Mound Width X Total Mound Length X .5 ft*

51.6 ft X 82.7 ft X 0.5 ft = 2134.5 ft^3

Divide ft^3 by 27 ft^3/yd^3 to calculate cubic yards: 2134.5 ft^3 ÷ 27 = 79.1 yd^3

Add 30% for constructability: 79.1 yd^3 x 1.3 = 102.8 yd^3

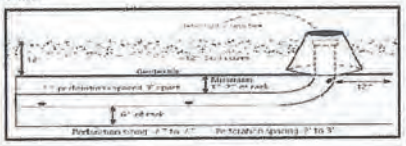
Pressure Distribution Design Worksheet

MINNESOTA POLLUTION CONTROL AGENCY

Project ID: 49-21 v 04.01.2021

1. Media Bed Width: 10 ft
2. Minimum Number of Laterals in system/zone = Rounded up number of [(Media Bed Width - 4) ÷ 3] + 1.

   [(10 - 4) ÷ 3] + 1 = 3 laterals *Does not apply to at-grades*
3. Designer Selected *Number of Laterals*: 3 laterals
   Cannot be less than line 2 (Except in at-grades)
4. Select *Perforation Spacing*: 3.00 ft
5. Select *Perforation Diameter Size:* 7/32 in



6. *Length of Laterals* = Media Bed Length - 2 Feet.

   50.0 - 2ft = 48.0 ft *Perforation can not be closer then 1 foot from edge.*
7. Determine the *Number of Perforation Spaces*. Divide the *Length of Laterals* by the *Perforation Spacing* and round down to the nearest whole number.

   Number of Perforation Spaces = 48.0 ft ÷ 3.0 ft = 16 Spaces
8. *Number of Perforations per Lateral* is equal to 1.0 plus the *Number of Perforation Spaces*. Check table below to verify the number of perforations per lateral guarantees less than a 10% discharge variation. The value is double with a center manifold.

   Perforations Per Lateral = 16 Spaces + 1 = 17 Perfs. Per Lateral

Maximum Number of Perforations Per Lateral to Guarantee < 10% Discharge Variation

¼ Inch Perforations

Perforation Spacing (Feet)	Pipe Diameter (Inches)				
	1	1¼	1½	2	3
2	10	13	18	30	60
2½	8	12	16	28	54
3	8	12	16	25	52

7/32 Inch Perforations

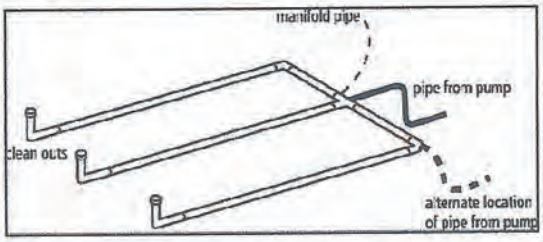
Perforation Spacing (Feet)	Pipe Diameter (Inches)				
	1	1¼	1½	2	3
2	11	16	21	34	68
2½	10	14	20	32	64
3	9	14	19	30	60

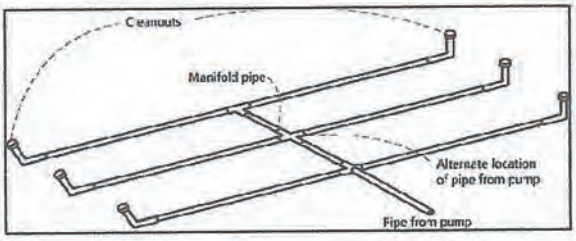
3/16 Inch Perforations

Perforation Spacing (Feet)	Pipe Diameter (Inches)				
	1	1¼	1½	2	3
2	12	18	26	46	87
2½	12	17	24	40	80
3	12	16	22	37	75

1/8 Inch Perforations

Perforation Spacing (Feet)	Pipe Diameter (Inches)				
	1	1¼	1½	2	3
2	21	33	44	74	149
2½	20	30	41	69	135
3	20	29	38	64	128





9. *Total Number of Perforations* equals the *Number of Perforations per Lateral* multiplied by the *Number of Perforated Laterals.*

   17 Perf. Per Lat. X 3 Number of Perf. Lat. = 51 Total Number of Perf.
10. Spacing of laterals; Must be greater than 1 foot and no more than 3 feet: 3.0 ft
11. Select *Type of Manifold Connection* (End or Center): CENTER
12. *Select Lateral Diameter (See Table)*: 1.50 in

Pressure Distribution Design Worksheet

13. Calculate the *Square Feet per Perforation.*

Recommended value is 4-11 ft2 per perforation, Does not apply to At-Grades

a. *Bed Area* = Bed Width (ft) X Bed Length (ft)

10	ft	X	50	ft =	500	ft^2

b. *Square Foot per Perforation* = *Bed Area* ÷ by the *Total Number of Perfs*

500	ft^2 ÷		51	perf =	9.8	ft^2/perf

14. Select *Minimum Average Head*: 1.0 ft

15. Select *Perforation Discharge* based on Table: 0.56 GPM per Perf

16. *Flow Rate* = *Total Number of Perfs X Perforation Discharge.*

51	Perfs	X	0.56	GPM per Perforation =	29	GPM

17. *Volume of Liquid Per Foot of Distribution Piping (Table II)*: 0.110 Gallons/ft

18. *Volume of Distribution Piping* =

= [*Number of Perforated Laterals* X *Length of Laterals* X (Volume of Liquid Per Foot of Distribution Piping]

3	X	48	ft	X	0.110	gal/ft	=	15.8	Gallons

19. Minimum Delivered Volume = Volume of Distribution Piping X 4

15.8	gals	X	4	=	63.4	Gallons

Perforation Discharge (GPM)

Head (ft)	Perforation Diameter 1/8	3/16	7/32	1/4
1.0[1]	0.18	0.41	0.56	0.74
1.5	0.22	0.51	0.69	0.9
2.0[2]	0.26	0.59	0.80	1.04
2.5	0.29	0.65	0.89	1.17
3.0	0.32	0.72	0.98	1.28
4.0	0.37	0.83	1.13	1.47
5.0[3]	0.41	0.93	1.26	1.65

1 foot	Dwellings with 3/16 inch to 1/4 inch perforations
	Dwellings with 1/8 inch perforations
2 feet	Other establishments and MSTS with 3/16 inch to 1/4 inch perforations
5 feet	Other establishments and MSTS with 1/8 inch perforations

Table II
Volume of Liquid in Pipe

Pipe Diameter (inches)	Liquid Per Foot (Gallons)
1	0.045
1.25	0.078
1.5	0.110
2	0.170
3	0.380
4	0.661

Comments/Special Design Considerations:

Basic Pump Selection Design Worksheet

MINNESOTA POLLUTION CONTROL AGENCY

1. PUMP CAPACITY Project ID: 49-21 v 04.01.2021

Pumping to Gravity or Pressure Distribution: Pressure

A. If pumping to gravity enter the gallon per minute of the pump: _____ GPM *(10 - 45 gpm)*

B. If pumping to a pressurized distribution system: 29.0 GPM

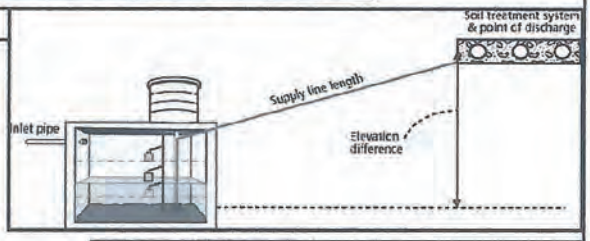
C. Enter pump description: Demand Dosing

2. HEAD REQUIREMENTS

A. Elevation Difference between pump and point of discharge: 9 ft

B. Distribution Head Loss: 5 ft

C. Additional Head Loss: _____ ft (due to special equipment, etc.)



Distribution Head Loss	
Gravity Distribution = 0ft	
Pressure Distribution based on Minimum Average Head Value on Pressure Distribution Worksheet:	
Minimum Average Head	**Distribution Head Loss**
1ft	5ft
2ft	6ft
5ft	10ft

Table I. Friction Loss in Plastic Pipe per 100ft

Flow Rate (GPM)	Pipe Diameter (inches)			
	1	1.25	1.5	2
10	9.1	3.1	1.3	0.3
12	12.8	4.3	1.8	0.4
14	17.0	5.7	2.4	0.6
16	21.8	7.3	3.0	0.7
18		9.1	3.8	0.9
20		11.1	4.6	1.1
25		16.8	6.9	1.7
30		23.5	9.7	2.4
35			12.9	3.2
40			16.5	4.1
45			20.5	5.0
50				6.1
55				7.3
60				8.6
65				10.0
70				11.4
75				13.0
85				16.4
95				20.1

D. 1. Supply Pipe Diameter: 2.0 in

2. Supply Pipe Length: 20 ft

E. Friction Loss in Plastic Pipe per 100ft from Table I:

Friction Loss = 2.23 ft per 100ft of pipe

F. Determine *Equivalent Pipe Length* from pump discharge to soil dispersal area discharge point. Estimate by adding 25% to supply pipe length for fitting loss.
Supply Pipe Length X 1.25 = *Equivalent Pipe Length*

20 ft X 1.25 = 25.0 ft

G. Calculate *Supply Friction Loss* by multiplying *Friction Loss Per 100ft* by the *Equivalent Pipe Length* and divide by 100.

Supply Friction Loss =

2.23 ft per 100ft X 25.0 ft ÷ 100 = 0.6 ft

H. *Total Head* requirement is the sum of the *Elevation Difference* + Distribution Head Loss, + Additional Head Loss + Supply Friction Loss

9.0 ft + 5.0 ft + _____ ft + 0.6 ft = 14.6 ft

3. PUMP SELECTION

A pump must be selected to deliver at least **29.0** GPM with at least **14.6** feet of total head.

Comments:

Pump Tank Design Worksheet (Demand Dose)

MINNESOTA POLLUTION CONTROL AGENCY

DETERMINE TANK CAPACITY AND DIMENSIONS — Project ID: 49-21 — v 04.01.2021

1. A. *Design Flow (Design Sum.1A)*: 600 GPD — C. Tank Use: DOSING
   B. Min. required pump tank capacity: 1000 Gal — D. Recommended pump tank capacity: 1000 Gal

2. A. Tank Manufacturer: BELLE PLAINE B & T — B. Tank Model: TNK 1000
   C. Capacity from manufacturer: 1128 Gallons
   D. Gallons per inch from manufacturer: 25.9 Gallons per inch
   E. Liquid depth of tank from manufacturer: 43.5 inches

Note: Design calculations are based on this specific tank. Substituting a different tank model will change the pump float or timer settings. Contact designer if changes are necessary.

DETERMINE DOSING VOLUME

3 Calculate *Volume to Cover Pump* (The inlet of the pump must be at least 4-inches from the bottom of the pump tank & 2 inches of water covering the pump is recommended)

(Pump and block height + 2 inches) X *Gallons Per Inch*

(16 in + 2 inches) X 25.9 Gallons Per Inch = 466 Gallons

4 *Minimum Delivered Volume* = 4 X Volume of Distribution Piping:

-Item 18 of the Pressure Distribution or Item 11 of Non-level — 63 Gallons (Minimum dose) — 2.4 inches/dose

5 Calculate *Maximum Pumpout Volume* (25% of Design Flow)

Design Flow: 600 GPD X 0.25 = 150 Gallons (Maximum dose) — 5.8 inches/dose

6 *Select a pumpout volume that meets both Minimum and Maximum:* 149 Gallons

7 Calculate *Doses Per Day* = Design Flow ÷ *Delivered Volume*

600 gpd ÷ 149 gal = 4.03 *Doses*

8 Calculate Drainback:

A. *Diameter of Supply Pipe* = 2 inches

B. Length of Supply Pipe = 20 feet

C. *Volume of Liquid Per Lineal Foot of Pipe* = 0.170 Gallons/ft

D. *Drainback = Length of Supply Pipe X Volume of Liquid Per Lineal Foot of Pipe*

20 ft X 0.170 gal/ft = 3.4 Gallons

9. *Total Dosing Volume = Delivered Volume plus Drainback*

149 gal + 3.4 gal = 152 Gallons

10. Minimum Alarm Volume = Depth of alarm (2 or 3 inches) X gallons per inch of tank

2 in X 25.9 gal/in = 51.8 Gallons

Volume of Liquid in Pipe

Pipe Diameter (inches)	Liquid Per Foot (Gallons)
1	0.045
1.25	0.078
1.5	0.110
2	0.170
3	0.380
4	0.661

DEMAND DOSE FLOAT SETTINGS

11. Calculate *Float Separation Distance* using *Dosing Volume*.

Total Dosing Volume / Gallons Per Inch

152 gal ÷ 25.9 gal/in = 5.9 Inches

12. Measuring from bottom of tank:

A. *Distance to set Pump Off Float* = Pump + block height + 2 inches

16 in + 2 in = 18 Inches

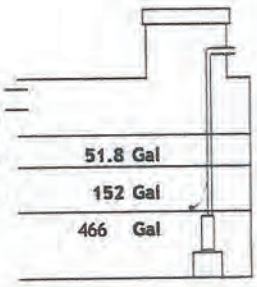
B. *Distance to set Pump On Float=Distance to Set Pump-Off Float + Float Separation Distance*

18 in + 5.9 in = 24 Inches

C. *Distance to set Alarm Float = Distance to set Pump-On Float + Alarm Depth* (2-3 inches)

24 in + 2.0 in = 26 Inches

Inches for Dose:	5.9 in	
Alarm Depth	25.9 in	
Pump On	23.9 in	51.8 Gal
Pump Off	18.0 in	152 Gal
		466 Gal



Hunter Olson - 612 - 366 - 7604
Lake Ave, New Prague

Scale 1" = 30' (N↑)

①&③ Elevation 98'
②&④ Elevations 95'
Bench Mark - Basement Floor stake at 100'
House outlet - 98.5
tank inlet - 97.5
Pump sits at - 93
Laterals at - 100.5

2.5 acres
159 ft to East Ditch
90' from well to tanks
over 100 ft From ROW

LAKE AVE

North Property Line 650'

62'

Lot Size - 650 x 165'

East Property Line

30

o well area

50

3 Bed room Home

30

1500/2 Septic

1000 Pump

51.6

①

②

17%

③

④

82.7

50

①

alt. Site

②

100'

>100' to east Property Line

>100' to tanks (NOT to Scale)

Garage

Drive

Pump access Route

20

51' (NOT to Scale)

WETLANDS

South Property Line

UNIVERSITY OF MINNESOTA

Onsite Sewage Treatment Program Soil Boring Log

Boring # 1

Client/ Address: Hunter Olsen Lake Ave

Legal Description/GPS: N.W. Corner

Date: 12-1-21

method: ☐ soil boring ☑ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock
(circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope Toe Slope
(circle one)

Slope Shape: CC

Soil Survey Map Unit(s):

Slope (%): 17

Vegetation: grass

Weather conditions/Time of Day: Clear 1:00 ☐a.m. ☑p.m.

Elevation: 98

Depth (in)	Texture	Coarse Frag %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Consistence
0-12	Loam	<35	10YR 3/2		Concentrations Depletions Gleyed		Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
12-15	clay loam	<35	10YR 4/3		Concentrations Depletions Gleyed		Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
15-29	clay loam	<35	10YR 4/3	10YR 4/2	Concentrations (Depletions) Gleyed	5.1	Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: Al Reak

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Onsite Sewage Treatment Program Soil Boring Log

Boring # 2

Client/ Address: Hunter Olsen Lake Ave

Legal Description/GPS: N.E. corner

Date: 12-1-21

method: ☐ soil boring ☑ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock (circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope Toe Slope (circle one) Slope Shape: CC

Vegetation: grass Soil Survey Map Unit(s): Slope (%): 17

Weather conditions/Time of Day: Clear 1:00 ☐a.m. ☑p.m. Elevation: 95

Depth (in)	Texture	Coarse Frag %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Structure: Consistence
0-7	Loam	<35	10YR 3/2		Concentrations Depletions Gleyed		Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
7-12	clay Loam	<35	10YR 4/3		Concentrations Depletions Gleyed		Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
12-23	CHAY Loam	<35	10YR 4/3	10YR 4/2	Concentrations (Depletions) Gleyed	5.1	Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					(Concentrations) Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: Al Reak

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Onsite Sewage Treatment Program Soil Boring Log

Boring # 3

Client/ Address: Hunter Olsen Lake Ave

Legal Description/GPS: S.W Corner

Date: 12-1-21

method: ☐ soil boring ☑ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock
(circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope Toe Slope Slope Shape: CV
(circle one)

Vegetation: grass Soil Survey Map Unit(s): Slope (%): 17

Weather conditions/Time of Day: Clear 1:00 ☐ a.m. ☑ p.m. Elevation: 98

Depth (in)	Texture	Course Frag %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Structure: Consistence
0-5	loam	<35	10YR 3/2		Concentrations Depletions Gleyed		(Granular) Platy Blocky Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
5-12	clay loam	<35	10YR 3/3		Concentrations Depletions Gleyed		Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
12-28	CLAY loam	<35	10YR 3/3	10YR 4/2	Concentrations Depletions Gleyed	5.1	Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: Al Reak

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Onsite Sewage Treatment Program Soil Boring Log

Boring # 4

Client/ Address: Hunter Olsen Lake Ave

Legal Description/GPS: corner

Date: 12-1-21

method: ☐ soil boring ☑ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock (circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope Toe Slope (circle one) Slope Shape: LL

Vegetation: grass Soil Survey Map Unit(s): Slope (%): 17

Weather conditions/Time of Day: Clear 1:00 ☐ a.m. ☑ p.m. Elevation: 95

Depth (in)	Texture	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Consistence
0-7	Loam	Coarse Frag. % <35 — 10YR 3/2		Concentrations Depletions Gleyed		Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
7-12	CLAY LOAM	<35 — 10YR 3/2 3/3		Concentrations Depletions Gleyed		Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
12-17	CLAY Loam	<35 — 10YR 3/3 3/4		Concentrations Depletions Gleyed		Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
17-28	clay Loam	<35 — 10YR 3/4	10YR 4/2	Concentrations (Depletions) Gleyed	5.1	Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
				Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
				Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: Al Reak

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Onsite Sewage Treatment Program Soil Boring Log

Boring # A4-1

Client/ Address: Hunty Olsen Lake Ave

Legal Description/GPS: North side ~~corner~~

Date: 12-1-21

method: ☐ soil boring ☑ soil pit

Soil Parent Material(s): (circle all that apply) Till Outwash Lacustrine Alluvium Loess Organic Matter Bedrock

Landscape Position: (circle one) Summit Shoulder Back/Side Slope Foot Slope Toe Slope **Slope Shape:** CC

Vegetation: grass **Soil Survey Map Unit(s):** **Slope (%):** 17

Weather conditions/Time of Day: Clear 1:00 ☐a.m. ☑p.m. **Elevation:**

Depth (in)	Texture	Coarse Frag %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Consistence
0-12	Loam	<35	10YR2/2		Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
12-14	CLAY Loam	<35	10YR3/2		Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
14-19	clAY Loam	<35	10YR 3/3		Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
19-28	Clay	<35	10YR3/3	10YR4/2	Concentrations Depletions Gleyed	5.1	Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
					Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

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Onsite Sewage Treatment Program Soil Boring Log

Boring # ALT2

Client/ Address: Hunter Olsen Lake Ave

Legal Description/GPS: ~~North~~ South Side

Date: 12-1-21

method: ☐ soil boring ☑ soil pit

Soil Parent Material(s): (Till) Outwash Lacustrine Alluvium Loess Organic Matter Bedrock (circle all that apply)

Landscape Position: Summit Shoulder (Back/Side Slope) Foot Slope ToeSlope (circle one) Slope Shape: CC

Vegetation: grass Soil Survey Map Unit(s): Slope (%): 17

Weather conditions/Time of Day: Clear 1:00 ☐a.m. ☑p.m. Elevation:

Depth (in)	Texture	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Saturated Soil Indicator(s) (see back)	Structure: Shape	Structure: Grade	Consistence
0-37	Loam	Coarse Frag % 35 / 10YR 2/2		Concentrations Depletions Gleyed		Granular Platy (Blocky) Prismatic Single Grain Massive	Weak (Moderate) Strong Loose	Loose (Friable) Firm Extremely Firm Rigid
				Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
				Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
				Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid
				~~Concentrations~~ Depletions Gleyed		Granular Platy ~~Blocky~~ Prismatic Single Grain Massive	Weak Moderate ~~Strong~~ Loose	Loose Friable ~~Firm~~ Extremely Firm Rigid
				Concentrations Depletions Gleyed		Granular Platy Blocky Prismatic Single Grain Massive	Weak Moderate Strong Loose	Loose Friable Firm Extremely Firm Rigid

Comments/Certified Statement: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Signature: Al Reak

Check frequently:										
Leaks: check for plumbing leaks										
Soil treatment area check for surfacing										
Lint filter: check, clean if needed										
Effluent screen: if owner-maintained										
Check annually:										
Water usage: rate (monitor frequency ___)										
Caps: inspect, replace if needed										
Water use appliances – review use										
Other:										

Notes: _____

Mitigation/corrective action plan: Fix what needs to be taken care of at owners Expense.

"As the owner of this SSTS, I understand it is my responsibility to properly operate and maintain the sewage treatment system on this property, utilizing the Management Plan. If requirements in this Management Plan are not met, I will promptly notify the permitting authority and take necessary corrective actions. If I have a new system, I agree to adequately protect the reserve area for future use as a soil treatment system."

Property Owner Signature: _____ Date: _____

Management Plan Prepared By: [illegible] Certification #: 3161

Permitting Authority: _____

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Professional Management Tasks

These are the operation and maintenance activities that a pumper/maintainer performs to help ensure long-term performance of your system. Professionals should refer to the O/M Manual for detailed checklists for tanks, pumps, alarms and other components. Call 800-322-8642 for more details.

- ☐ Written record provided to homeowner after each visit.

Plumbing/Source of Wastewater

- ☐ Review the Water Use Appliance Chart on Page 5 with homeowner. Discuss any changes in water use and the impact those changes may have on the septic system.
- ☐ Review water usage rates (if available) with homeowner.

Septic Tank/Pump Tanks

- ☐ *Manhole lid.* A riser is recommended if the lid is not accessible from the ground surface. Insulate the riser cover for frost protection.
- ☐ *Liquid level.* Check to make sure the tank is not leaking. The liquid level should be level with the bottom of the outlet pipe. (If the water level is below the bottom of the outlet pipe, the tank may not be watertight. If the water level is higher than the bottom of the outlet pipe of the tank, the effluent screen may need cleaning, or there may be ponding in the drainfield.)
- ☐ *Inspection pipes.* Replace damaged caps.
- ☐ *Baffles.* Check to make sure they are in place and attached, and that inlet/outlet baffles are clear of buildup or obstructions.
- ☐ *Effluent screen.* Check to make sure it is in place; clean per manufacturer recommendation. Recommend retrofitted installation if one is not present.
- ☐ *Alarm.* Verify that the alarm works.
- ☐ *Scum and sludge.* Measure scum and sludge in each compartment of each septic and pump tank, pump if needed.

Pump

- ☐ *Pump and controls.* Check to make sure the pump and controls are operating correctly.
- ☐ *Pump vault.* Check to make sure it is in place; clean per manufacturer recommendations.
- ☐ *Alarm.* Verify that the alarm works.
- ☐ *Drainback.* Check to make sure it is operating properly.
- ☐ *Event counter or run time.* Check to see if there is an event counter or run time log for the pump. If there is one, calculate the water usage rate and compare to the anticipated average daily flow listed on Page 2.

Soil Treatment Area

- ☐ *Inspection pipes.* Check to make sure they are properly capped. Replace caps that are damaged.
- ☐ *Surfacing of effluent.* Check for surfaced effluent or other signs of problems.
- ☐ *Lateral flushing.* Check lateral distribution; if cleanouts exist, flush and clean as needed.
- ☐ *Ponding.* Check for ponding. Excessive ponding in at-grade and mound beds indicates problems.

All other components – inspect as listed here:

_____

_____

_____

Water-Use Appliances and Equipment in the Home

Appliance	Impacts on System	Management Tips
Garbage disposal	• Uses additional water. • Adds solids to the tank. • Finely-ground solids may not settle. Unsettled solids can exit the tank and enter the soil treatment area.	• Use of a garbage disposal is not recommended. • Minimize garbage disposal use. Compost instead. • To prevent solids from exiting the tank, have your tank pumped more frequently. • Add an effluent screen to your tank.
Washing machine	• Washing several loads on one day uses a lot of water and may overload your system. • Overloading your system may prevent solids from settling out in the tank. Unsettled solids can exit the tank and enter the soil treatment area.	• Choose a front-loader or water-saving top-loader, these units use less water than older models. • Limit the addition of extra solids to your tank by using a liquid or easily biodegradable detergents. • Install a ling filter after the washer and an effluent screen on your tank. • Wash only full loads. • Limit use of bleach-based detergents. • Think even – spread your laundry loads throughout the week.
2nd floor laundry	• The rapid speed of water entering the tank may reduce performance.	• Install an effluent screen in the septic tank to prevent the release of excessive solids to the soil treatment area. • Be sure that you have adequate tank capacity.
Dishwasher	• Powdered and/or high-phosphorus detergents can negatively impact the performance of your tank and soil treatment area. • New models promote "no scraping". They have a garbage disposal inside.	• Use gel detergents. Powdered detergents may add solids to the tank. • Use detergents that are low or no-phosphorus. • Wash only full loads. • Scrape your dishes anyways to keep undigested solids out of your septic system.
Grinder pump (in home)	• Finely-ground solids may not settle. Unsettled solids can exit the tank and enter the soil treatment area.	• Expand septic tank capacity by a factor of 1.5. • Include pump monitoring in your maintenance schedule to ensure that it is working properly. • Add an effluent screen.
Large bathtub (whirlpool)	• Large volume of water may overload your system. • Heavy use of bath oils and soaps can impact biological activity in your tank and soil treatment area.	• Avoid using other water-use appliances at the same time. For example, don't wash clothes and take a bath at the same time. • Use oils, soaps, and cleaners in the bath or shower sparingly.
Clean Water Uses	**Impacts on System**	**Management Tips**
High-efficiency furnace	• Drip may result in frozen pipes during cold weather.	• Re-route water into a sump pump or directly out of the house. Do not route furnace recharge to your septic system.
Water softener Iron filter Reverse osmosis	• Salt in recharge water may affect system performance. • Recharge water may hydraulically overload the system.	• These sources produce water that is not sewage and should not go into your septic system. • Reroute water from these sources to another outlet, such as a dry well, draintile or old drainfield. • When replacing consider using a demand-based recharge vs. a time-based recharge. • Check valves to ensure proper operation; have unit serviced per manufacturer directions
Surface drainage Footing drains	• Water from these sources will likely overload the system.	

Homeowner Management Tasks

These operation and maintenance activities are your responsibility. Use the chart on page 6 to track your activities.

Identify the service intervals recommended by your system designer and your local government. The tank assessment for your system will be the shortest interval of these three intervals. Your pumper/maintainer will determine if your tank needs to be pumped.

System Designer:	check every _____ months	My tank needs to be checked every 24 months
Local Government:	check every _____ months	
State Requirement:	check every 36 months	

Seasonally or several times per year

- ☐ *Leaks.* Check (lister, look) for leaks in toilets and dripping faucets. Repair leaks promptly.
- ☐ *Surfacing sewage.* Regularly check for wet or spongy soil around your soil treatment area. If surfaced sewage or strong odors are not corrected by pumping the tank or fixing broken caps, call your service professional. *Untreated sewage may make humans and animals sick.*
- ☐ *Alarms.* Alarms signal when there is a problem; contact your maintainer any time the alarm signals.
- ☐ *Lint filter.* If you have a lint filter, check for lint buildup and clean when necessary. Consider adding one after washing machine.
- ☐ *Effluent screen.* If you do not have one, consider having one added the next time the tank is cleaned.

Annually

- ☐ *Water usage rate.* A water meter can be used to monitor your average daily water use. Compare your water usage rate to the design flow of your system (listed on the next page). Contact your septic professional if your average daily flow over the course of a month exceeds 70% of the design flow for your system.
- ☐ *Caps.* Make sure that all caps and lids are intact and in place. Inspect for damaged caps at least every fall. Fix or replace damaged caps before winter to help prevent freezing issues.
- ☐ *Water conditioning devices.* See Page 5 for a list of devices. When possible, program the recharge frequency based on *water demand (gallons)* rather than *time (days)*. Recharging too frequently may negatively impact your septic system.
- ☐ *Review your water usage rate.* Review the Water Use Appliance chart on Page 5. Discuss any major changes with your pumper/maintainer.

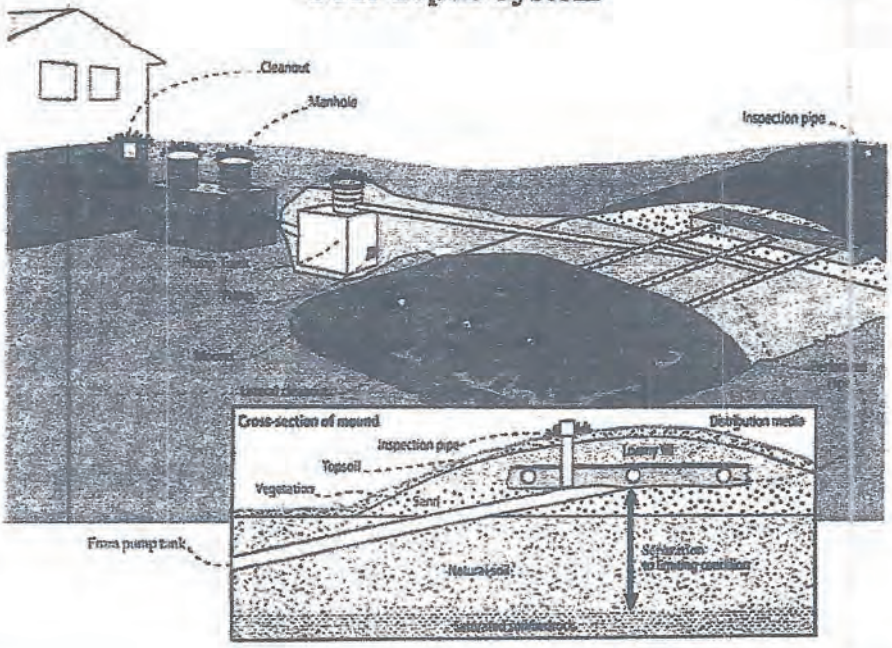
During each visit by a pumper/maintainer

- ☐ Ask if your pumper/maintainer is licensed in Minnesota.
- ☐ Make sure that your pumper/maintainer services the tank through the manhole. (NOT though a 4" or 6" diameter inspection port.)
- ☐ Ask your pumper/maintainer to accomplish the tasks listed on the Professional Tasks on Page 4.

UNIVERSITY OF MINNESOTA

Septic System Management Plan for Above Grade Systems

Your Septic System



Septic System Specifics

System Type: ☑ I ○ II ○ III ○ IV* ○ V*
(Based on MN Rules Chapter 7080.2200 – 2400)

☐ System is subject to operating permit*
☐ System uses UV disinfection unit*
Type of advanced treatment unit _____
**Additional Management Plan required*

Dwelling Type

Number of bedrooms: 3
System capacity/ design flow (gpd): 450
Anticipated average daily flow (gpd): 300
Comments _____
In-home business? N/A What type? _____

Well Construction

Well depth (ft): New
☐ Cased well Casing depth _____
☐ Other (specify): _____
Distance from septic (ft): _____
Is the well on the design drawing? ☑ Y ○ N

Septic Tank

☑ One tank *Tank volume:* 1500/2 *gallons*
Does tank have two compartments? ☑ Y ○ N
○ Two tanks *Tank volume:* _____ *gallons*
☐ Tank is constructed of Concrete
☐ Effluent Screen *type:* NO

☐ Pump Tank (*if one*) 1000 gallons
☐ Effluent Pump *type:* Gould PS1
TDH 19.6 Feet of head
Pump capacity 29 GPM
☑ Alarm ✓ visual ✓ audible

Soil Treatment Area

Mound/At-Grade area (length x width): 38 ft x 10 ft
Rock bed size (length x width): 82.7 ft x 51.6 ft

☑ Cleanouts or Inspection Ports
☑ Surface Water Diversions

UNIVERSITY
OF MINNESOTA

Septic System Management Plan for Above Grade Systems

The goal of a septic system is to protect human health and the environment by properly treating wastewater before returning it to the environment. Your septic system is designed to kill harmful organisms and remove pollutants before the water is recycled back into our lakes, streams and groundwater.

This **management plan** will identify the operation and maintenance activities necessary to ensure long-term performance of your septic system. Some of these activities must be performed by you, the homeowner. Other tasks must be performed by a licensed septic maintainer or service provider. However, it is YOUR responsibility to make sure all tasks get accomplished in a timely manner.

The University of Minnesota's *Septic System Owner's Guide* contains additional tips and recommendations designed to extend the effective life of your system and save you money over time.

Proper septic system design, installation, operation and maintenance means safe and clean water!

Property Owner Hunter Olson

Property Address Lake Ave. Newfane Property ID

System Designer Dirt Diggers Contracting INC. License # 790

System Installer Olson Contruction License #

Service Provider/Maintainer Dirt Diggers INC Phone 612-532-5444

Permitting Authority Rice Co Phone 507-332-6113

Permit # Date Inspected

Keep this Management Plan with your *Septic System Owner's Guide*. The *Septic System Owner's Guide* includes a folder designed to hold maintenance records including pumping, inspection and evaluation reports. Ask your septic professional to also:

- Attach permit information, designer drawings and as-builts of your system, if they are available.
- Keep copies of all pumping records and other maintenance and repair invoices with this document.
- Review this document with your maintenance professional at each visit; discuss any changes in product use, activities or water-use appliances.

For a copy of the *Septic System Owner's Guide*, call 1-800-876-8636 or go to http://shop.extension.umn.edu/

http://septic.umn.edu

Fwd: Wheatland approved driveway permits

Diane Johnson <dw92johnson@gmail.com> Tue, Jan 25, 2022 at 2:27 PM
To: hunter.olson01@gmail.com

---------- Forwarded message ---------
From: **Diane Johnson** <dw92johnson@gmail.com>
Date: Sun, Jul 25, 2021 at 7:33 PM
Subject: Wheatland approved driveway permits
To: <tmccorkell@co.rice.mn.us>

Trent,

Hunter Olson and Tom Malinski were approved for driveway permits at the July 13, 2021, Wheatland Township Board meeting.

Sincerely,

Diane Johnson
Wheatland Township Supervisor

CONSERVATION EASEMENT

This Agreement (hereinafter "Conservation Easement" or "Agreement") is made this 19th day of April, 2023, between the County of Rice (hereinafter "Grantee"), a body corporate and politic existing under the law of the State of Minnesota, 320 Third Street Northwest, Faribault, MN 55021 and Gregory G Sindra (hereinafter "Grantor").

(Information needed to identify owners – name, marital status, ownership status, address)

RECITALS

WHEREAS, Grantor(s) is owner in Fee of land identified in Exhibit A (the Property) which is located in Rice County, Minnesota, and described in a deed recorded in the Office of the County Recorder of Rice County, Minnesota, as Document Number 691173, dated Feb 23, 2016; and

WHEREAS, Grantor seeks to convey a CONSERVATION EASEMENT to Grantee, the County of Rice, for the purpose of preserving productive farmland and open space.

WHEREAS, the Property is located in a zoning district designated under the Rice County Zoning Ordinance as eligible for the transfer of development rights from the Property; and

WHEREAS, Grantor has agreed to the transfer of all the development rights determined by Rice County to be allowable to the Property; and

WHEREAS, the current use of the Property is agricultural use, open space or natural areas, and on the Property are located Ø structures including Ø dwelling units and Ø non-residential agricultural buildings; and

WHEREAS, Grantor acknowledges the transfer of all rights to further develop the Property for any use other than the uses existing on the date of the grant of this Easement; and

WHEREAS, Minn. Stat. Ch. 84C authorizes the State of Minnesota, governmental bodies to preserve, acquire, or hold lands for open space uses, which specifically include agriculture; and that actions pursuant to these purposes are for public health, safety, and general welfare of the citizens of the State of Minnesota and for the promotion of sound land development; and

WHEREAS, Grantee is a qualified political subdivision under the laws of the State of Minnesota laws and is authorized by Minn. Stat. §375.18, subd. 12 to acquire conservation easements under chapter 84C for the purpose of implementing a transfer of development rights program; and

WHEREAS, Grantee has declared that public benefits result from the protection and conservation of agricultural land, specifically including the protection of agricultural lands for the production of food and other agricultural products; protection of scenic rural areas for public visual enjoyment from public rights-of-way; and the protection of agricultural lands as valued natural and ecological resources to provide water quality benefits and open space benefits; and

WHEREAS, Grantor desires and intends that the agricultural and open space character of the Property be preserved, protected, and maintained; and

WHEREAS, Grantor desires and intends to give Grantee the right to enforce the terms of this Conservation Easement for the protection of the Property in perpetuity; and

WHEREAS, Grantee agrees by acquiring this grant of conservation easement to preserve and protect in perpetuity the agricultural and open space values of the Property for the benefit of this generation and the generations to come; and

WHEREAS, the specific agricultural and open space values of the Property are documented in an inventory of the Property, dated _____, on file at the offices of Grantee and incorporated by this reference ("Baseline Documentation"), which consists of documentation that the parties agree provide, collectively, an accurate representation of the Property at the time of this grant of easement and which is intended to serve as an objective information baseline for monitoring compliance with the terms of this grant of easement.

NOW, THEREFORE, in consideration of the foregoing and intending to be legally bound, the undersigned Grantor grants and conveys to Grantee a CONSERVATION EASEMENT on the Property for the purpose of assuring that the Property will be retained forever in its agricultural and open space condition and to prevent any use that will impair the agricultural and open space values of the Property. To carry out this purpose, the following title restrictions are recorded:

A. CONVENANTS, TERMS, CONDITIONS, AND RESTRICTIONS

1. The Recitals stated above are incorporated by reference and intending to be legally bound, Grantor declares, makes known, and covenants for themself, their heirs, successors, and assigns, that the property shall be restricted to agricultural and open space uses.

2. This Conservation Easement shall continue in perpetuity unless terminated or otherwise amended by the parties. Any termination or amendment shall be by separate written agreement and recorded against the property.

3. Agricultural uses of land are defined for the purposes of this grant of easement, as the use of land for the production of plants and animals that qualify the Property for tax treatment under the provision of Minn. Stat. §273.11, the "Minnesota Agricultural Property Tax Law," as may be amended from time to time, or as maybe interpreted by courts of competent jurisdiction.

4. Residences and structures permitted on the Property subject to these restrictions are the residences and structures existing on the date of this easement as noted in the Baseline Documentation, or in the event of their destruction, replacements of similar size (or larger if allowed by the Rice County Zoning Ordinance) and uses.

Additional non-residential agricultural structures are allowed. Additional residential structures and uses are prohibited.

5. Upon a conveyance of all or a portion of the Property, any new Deed shall recite verbatim the terms of this Easement and incorporate this Easement by reference.

6. Use of the Property for dumping, storage, processing or landfill of non-agricultural solid or hazardous waste generated off-site is prohibited.

B. GENERAL PROVISIONS

1. Grantor reserves to themself, and to their personal representatives, heirs, successors, and assigns, all rights accruing from their ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and are not inconsistent with the purpose of this Easement.

2. No right of public access is provided for, nor will any right of public access result from the recording of these restrictions.

3. Grantee, their successors or assigns, jointly or severally, shall have the right to enforce these restrictions by injunction and other appropriate proceedings, including but not limited to the right to require the Grantor to restore the Property to the condition existing at the time of this Grant in order to correct any violation(s) of this Grant of Easement. Representatives of Grantee, their successors or assigns, may at reasonable times and after appropriate notice to Grantor and any persons residing on the Property, enter the Property from time to time for the purposes of inspection and enforcement of the terms of the Easement.

4. Any cost incurred by Grantee in enforcing the terms of this easement against Grantor, including court costs, attorneys' fees, and any cost of restoration necessitated by Grantor's violation of the terms of this Grant shall be borne by Grantor.

5. The restrictions contained herein shall apply to the land as a conservation easement in gross in perpetuity. The covenants, terms, conditions, and restrictions of this easement shall be binding upon and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property. A party's rights and obligations under this Easement terminate upon transfer of the party's interest in the Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

6. This easement may be subject to modification, termination or extinguishment, whether in whole or in part, if the zoning ordinance is amended, the property is annexed into a city, a development right is returned to the property or if circumstances arise in the future such as to render the purposes of this easement impossible to accomplish and the parties mutually agree, or by judicial proceedings in a court of competent jurisdiction.

7. If the easement is taken, in whole or in part, by the exercise of the power of eminent domain, Grantee shall be entitled to just compensation for its interest in the Property in accordance with applicable law.

8. Grantor agrees to incorporate the terms of this easement in any deed or other legal instrument by which Grantor divests themself of any interest in all or a portion of the Property. Grantor further agrees to give written notice to Grantee of the transfer of any interest at least ten (10) days prior to the date of such transfer. The failure of Grantor to perform any act required by this paragraph shall not impair the validity of this Conservation Easement or limit its enforceability in any way.

9. Grantor shall hold harmless, indemnify and defend Grantee and its employees, agents and contractors and their heirs, personal representatives, successors and assigns (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands or judgments, including without limitation, reasonable attorneys' fees arising from or in any way connected with: (1) the result of a violation or alleged violation of any State or Federal environmental statute or regulation including the storage or disposal of hazardous or toxic chemicals or materials; (2) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition or other matter related to or incurring on or about the premises, regardless of costs, unless due solely to the gross negligence of any of the Indemnified Parties; and (3) existence and administration of this easement.

10. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep and maintenance of the premises, including the maintenance of adequate comprehensive general liability insurance coverage and payment of all real estate taxes.

11. Grantee shall record this Conservation Easement with the Rice County Recorder.

12. If any provisions of this conservation easement, or the application thereof to any person or circumstances, is found to be invalid, the remainder of the provisions of this conservation easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected and shall continue in full force and effect.

Grantee hereby conveys a conservation easement to have and to hold unto Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the parties hereto have set their hands on the date(s) indicated below intending to be bound thereby.

GRANTOR(S):

By: Gregory G Jindra
Signature

By: _____
Signature

By: Gregory G. Jindra
Printed Name

By: _____
Printed Name

STATE OF MINNESOTA)
) ss.
COUNTY OF RICE)

The foregoing instrument was acknowledged before me this 19 day of April, 2023, by Tyler Denn Married, Grantor(s).
Name(s), marital status

TYLER JEROME DENN
NOTARY PUBLIC
MINNESOTA
My Commission Expires Jan. 31, 2025

NOTARY PUBLIC

Notary Public

GRANTEE

COUNTY OF RICE

Attest:

_____
County Chair Board

_____
Sara Folsted, County Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF RICE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by _____, Chairperson of the Rice County Board, Rice County Minnesota, pursuant to the authority granted by its County Board.

NOTARY PUBLIC

BY: _____

Prepared by: Rice County Attorney's Office
218 NW Third Street
Faribault, MN 55021
February 2023

TRANSFER DEVELOPMENT RIGHT (TDR) SENDING FORM

Owner of Sending Parcel Gregory G. Jindra

Mailing Address: 12245 45 St W.

City, State, Zip New Prague, MN 56071 Phone: 507-744-2162

Gregory G. Jindra 4-19-23

Signature of Sender Date

The following information is required:

1) Original copy of the signed Conservation Easement with the following provided by the applicant:
   a. First page: owner(s) name & marital or ownership status and deed information;
   b. Last page: signed & notarized by owner(s); and
   c. Legal description of sending area.

Note: The Conservation Easement is not recorded until after the TDR is approved.

2) Number of Rights being transferred 1

The TDR is not ready for transfer until the receiving area is approved by the Board of Commissioners and the Conservation Easement has been recorded by Rice County.

Please note that once the TDR is approved, the applicant is responsible for creating/filing the new parcel with the Rice County Recorder's Office.

*************************OFFICE USE ONLY************************

Remaining TDR's in Quarter/Quarter_____

Receiving Area:
Name of Plat or Legal Description_____

Date of Approval _____/_____/_____

Date of Easement Recording _____/_____/_____

Date CE added to GIS - TDR layer_____/_____/_____

PURCHASE AGREEMENT

THIS PURCHASE AGREEMENT ("Agreement") is made by and between **Kevin M and Rita Hillmann Olson**, as Seller, and **Hunter Olson**, as Buyer. Seller and Buyer may be collectively referred to as the "Parties."

RECITALS

A. Seller is the owner of real property located at 3245 Lake Avenue, New Prague, Minnesota, 56071 - PID 01.05.2.50.001 - Wheatland Township, Rice County, Minnesota.

B. Buyer's address is 3245 Lake Avenue, New Prague, Minnesota, 56071.

AGREEMENT

Upon the following terms and conditions, it is mutually agreed that:

1. Purchase Price. In consideration, Buyer shall pay to Seller the amount of Seventeen Thousand, Five Hundred dollars ($17,500.00) payable via personal check.
2. Closing Date. he Purchase Price shall be due and payable to Seller upon Rice County's approval and authorization to the TDR transfer between Gregory Jindra & Hunter Olson. Buyer shall provide written notice to Seller and the necessary documentation reflecting such approval and authorization.
3. Termination. This Agreement will terminate if Rice County does not approve and authorize the TDR transfer to Buyer.
4. Transfer of Interest. This Agreement shall be binding upon ad inure to the benefit of the heirs, devisees, representatives, assignees, and successors in interest of the Parties.
5. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.
6. Section Titles. The headings herein are inserted as a matter of convenience only, and do not define, limit, or describe the scope of the Lease or the intent of the provisions hereof.
7. Counterparts. This Agreement may be executed simultaneously or in two or more counterparts each of which shall be deemed an original, and all of which, when taken together, constitute one and the same document.

I agree to sell the 2.5 acres as listed in the legal description attached for the price and under the terms and conditions set forth above.

Date: 5-3-2023

Kevin M Olson, Seller

Rita Hillmann Olson, Seller

I agree to purchase the 2.5 acres as listed in the legal description attached for the price and under the terms and conditions set forth above.

Date: 5-3-2023

Hunter Olson, Buyer

LEGAL DESCRIPTION

That part of the South Half of the Southwest Quarter of the Northwest Quarter of Section 5, Township 112 North, Range 22 West, Rice County, Minnesota, describes as follows: Beginning at the West Quarter Corner of said Section 5; thence North 00 degrees 04 minutes 49 seconds West (bearings based on Rice County Coordinate System NAD83, 1996 Adjustment) on the west line of said Section 5, a distance of 165.00 feet; thence South 89 degrees 54 minutes 28 feet to the south line of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 54 minutes 28 seconds West on said south line, a distance of 660.00 feet to the point of beginning.

Said parcel contains 2.50 acres of land.

PURCHASE AGREEMENT

THIS PURCHASE AGREEMENT ("Agreement") is made by and between **Gregory J. Jindra**, as Seller, and **Hunter Olson**, as Buyer. Seller and Buyer may be collective referred to as the "Parties."

RECITALS

A. Seller is the fee owner of real property located at 12245 45th Street West, New Prague, Minnesota, 56071 – PID 01.07.12.5001 – Wheatland Township, Rice County, Minnesota.

B. Buyer's address is 3245 Lake Avenue, New Prague, Minnesota, 56071.

AGREEMENT

Upon the following terms and conditions, it is mutually agreed that:

1. Transfer Development Right. Buyer offers to purchase and Seller agrees to sell all Transfer Development Rights ("TDR") located on the real property legally described in the attached Exhibit A. ("Sending Area")

2. Purchase Price. In consideration, Buyer shall pay to Seller the amount of fifty thousand dollars ($50,000.00) payable via cashier's check.

3. Closing Date. The Purchase Price shall be due and payable to Seller upon Rice County's approval and authorization to the TDR transfer. Buyer shall provide written notice to Seller and the necessary documentation reflecting such approval and authorization.

4. Termination. This Agreement will terminate if Rice County does not approve and authorize the TDR transfer to Buyer.

5. Restriction on Sending Area. Buyer agrees and understands that after Closing the Sending Area is restricted to agricultural and open space uses.

6. Transfer of Interest. This Agreement shall be binding upon and inure to the benefit of the heirs, devisees, representatives, assignees and successors in interest of the Parties.

7. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.

8. Section Titles. The headings herein are inserted as a matter of convenience only, and do not define, limit, or describe the scope of this Lease or the intent of the provisions hereof.

9. Counterparts. This Agreement may be executed simultaneously or in two or more counterparts each of which shall be deemed an original, and all of which, when taken together, constitute one and the same document. The signature of any party to any

I agree to sell all Transfer Developmental Rights on the Sending Area for the price and under the terms and conditions set forth above.

Date: 4-19-23

Gregory D Jindra

Gregory G. Jindra, Seller

I agree to purchase all Transfer Developmental Rights on the Sending Area for the price and under the terms and conditions set forth above.

Date: 4-19-23

Hunter Olson, Buyer

From: Schnell, Tracy (DOT)
To: RCPlanningZoning
Cc: Wayne, Kurt (He/Him/His) (DOT); Schnell, Tracy (DOT)
Subject: Rice County Minnesota Board of Adjustment Items
Date: Friday, May 19, 2023 12:12:57 PM
Attachments:

[This message was received from an external source. Do not click links or open attachments unless verified. Please report all suspicious emails to Rice County IT using the Phishing Alert button.]

These proposals appear to have no significant impact on MnDOT roadways and are acceptable to MnDOT.

Variance/Drager - Section 15, Forest Township

Variance/Whipple- Section 15, Wells Township

Variance/Grossman - Section 31, Forest Township

Conditional Use Permit/Lindenfelser

Final Plat/Johnson - Section 8, Wells Township

Waiver of Plat/Schwartz - Section 30, Morristown Township

Conditional Use Permit/Lynch- Section 26, Webster Township

Waiver of Plat/Olson - Section 5, Wheatland Township

Thanks,

Tracy Schnell
Senior Planner | District 6

Minnesota Department of Transportation
2900 48th Street NW
Rochester, MN 55901
C: 507-259-3852
mndot.gov/

RICE COUNTY
ENVIRONMENTAL SERVICES DEPARTMENT
MEMORANDUM

TO: Planning Commission
FROM: Trent McCorkell, Rice County Zoning Administrator
HEARING DATE: May 25, 2023
SUBJECT: Pineur – Waiver of Plat, TDR

SUMMARY OF THE APPLICATION
Gregory Pineur has applied for a Waiver of Plat to create a building lot through the use of a Transfer Development Right (TDR). The TDR is being sent from approximately the south 11-acres of the current 44-acre parcel.

Application Data

APPLICANT: Gregory Pineur

LOCATION: Part of the NW1/4 of the NE1/4, Section 23, Shieldsville Township, Rice County, Minnesota. PID#: 09.23.1.25.004.

ZONING: The property is Zoned A, Agricultural.

Lot Area/Dimensions

	Lot Area	**Lot Width**	**Lot Depth**	**¼ ¼ CER(s)**
Proposed TDR receiving parcel	2.5-acres	227-ft to 314-ft	>300-ft	64
Current Parcel	44-acres approximately	1/4 mile	1600-ft approximately	64, 68
TDR sending area(s)	11-acres approximately	1/4 mile approx.	350-ft approx.	68
Requirements for TDR receiving Parcels	Min 1.0-acre to Max 2.5-acres	50-ft Minimum	N/A	N/A

Location
The receiving site is located on the south side of 180th ST W., approximately 6-miles west of the City of Faribault.

Septic System
Soils information has been submitted showing two suitable potential septic sites.

Roads and Access
A new driveway from 180th St W. (County Road 37), has been permitted for access.

Existing Site Conditions
Photos of the property will be provided at the meeting

Applicable Zoning Ordinance Sections
Sections 509.04, 520, 521 and 523

If approved, conditions might include:

1. The new 2.5-acre Transfer Development Right (TDR) receiving parcel shall contain one single family dwelling.

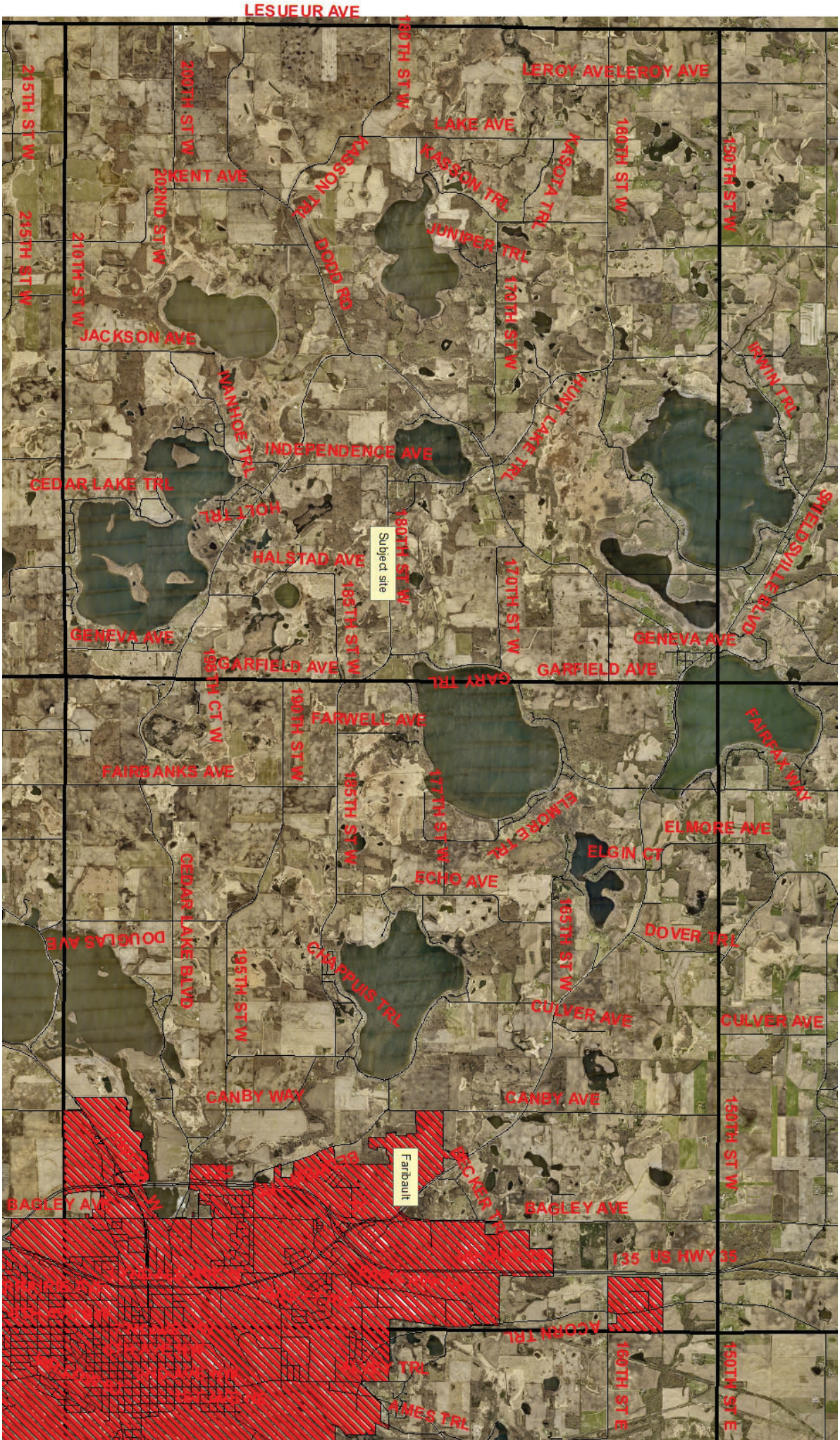
2. Any new construction on the parcels is to adhere to all Rice County codes and ordinances.

3. The remaining parcel and TDR receiving parcel shall not be further subdivided or combined with other land(s) unless approved under the Rice County subdivision regulations.

4. The conservation easement for the TDR sending area shall be recorded at the same time or before the new parcel is recorded.

5. Within one year of this approval the applicant shall record a new deed, at the Rice County Recorders Office, containing just the TDR receiving parcel.

6. In-lieu park dedication fee of $500 shall be paid prior to recording of the new parcel.


LESUEUR AVE
215TH ST W
200TH ST W
210TH ST W
202ND ST W
KENT AVE
JACKSON AVE
DODD RD
KASSON TRL
JUNIPER TRL
LAKE AVE
LEROY AVE
160TH ST W
150TH ST W
170TH ST W
HAUNT LAKE TRL
MANHOE TRL
INDEPENDENCE AVE
CEDAR LAKE TRL
HOLT TRL
HALSTAD AVE
Subject site
180TH ST W
185TH ST W
GENEVA AVE
GARFIELD AVE
GARY TRL
190TH CT W
190TH ST W
FARWELL AVE
FAIRBANKS AVE
185TH ST W
177TH ST W
ELMORE TRL
ELMORE AVE
ELGIN CT
ECHO AVE
CEDAR LAKE BLVD
DOUGLAS AVE
195TH ST W
CAMPFIRE TRL
DOVER TRL
CULVER AVE
CANBY WAY
CANBY AVE
Faribault
BAGLEY AVE
135 US HWY 35
ACORN TRL
AMES TRL
160TH ST E
150TH ST E
SHIELDSVILLE BLVD
IVANHOE TRL
FAIRFAX WAY

0914352015
0914352019
0914375002
0914375007
0914350002
0914375005
0914375006
0914375001
HOLLAND TRL
180TH ST W
0914400001
0914475001
0913375001
0923200001
0923125002
Subject site
0923100001
0923225001
0923125003
0924200001
0923100002
0923125004
0923175003
Sending area
0924275001
0923250001
0923275001
0923150001
185TH ST W
0923300001
0923425001
0923475001
0923400001
0924300001

0914352014
0914351002
0914375004
0914375007
0914375002
0914352015
0914400001
0914375001
0914350002
0914375005
0914375006
HOLLAND TRL
0914352019
180TH ST W
Subject site
0923200001
0923125002
0923100001
0923150001
0923125004
0923125003
0923225001
0923175003
0923275001

Zoning Waiver of Plat (WOP) UID # 13434
App. Status: Pending Review

Property Information

Parcel Information:	**Parcel Information** / **Owner Information** **Parcel ID Number** / **Site Address** / **City** / **Zoned as** / **Owner Name** 09.23.1.25.004 / 8254 180TH ST W / FARIBAULT / AGRICULTURAL / PINEUR GREGORY R & CEARLE A
Are you the landowner?	Yes
Will you be using an Authorized Agent?	No

Applicant Information

Applicant Information:	Name: Gregory R Pineur Phone #1: (092) 312 - 5004 Email Address: gpineur@yahoo.com Mailing Address: 8254 180th Street West Faribault MN 55021

Site Plan

Please see attached site plan:	File 1: CONCEPT_WITH_AERIAL.pdf File 2: OVERALL_SITE.pdf File 3: Pineur_WOP_Survey_Close.pdf
Certificate of Survey:	File 1: CERTIFICATE_OF_SURVEY.pdf File 2: Pineur_WOP_Survey.pdf
Will there be a new or change in use driveway?	Yes

Soil/Septic Information

Soil/Septic information:	File 1: Pineur_WOP_Survey_Septic.pdf

Subdivision Review Process

Is a transfer development right being used with this WOP?	Yes

Sending & Receiving Property

TDR Sending Property legal description.:	File 1: 2023_Conservation_Easement_form_fillable_202301171520251390.pdf
Please fill out TDR and Conservation Easement Forms:	File 1: Pineur_TDR_Sending.pdf

Driveway Permit

Driveway permit:	File 1: Driveway_Permit_already_turned_in.pdf

Terms

Terms and Conditions

By checking the box above, I hereby certify that all data contained herein, as well as supporting data, are true and correct.
Landowner or Applicant or Representative must attend the scheduled public hearings.

Public Notes

Text:	01/24/2023-lj-Please provide the following: -Copy of approved driveway permit - RCV'D 1/26 -Complete and accurate Conservation Easement packet (5pg) - RCV'd 1/26/23, copy attached below emailed applicant - see attached below 1/24/23 md: emailed applicant requesting submittal of: soil borings (3 per septic site), and a signed statement from your septic professional verifying the site's ability to provide 2ea Type I system sites (primary/future). In addition the soil boring locations must be identified on your survey. 01/26/23 lj-Rec'd Driveway permit, scanned to this permit 1/31/23 TM - Applicant and surveyor called and emailed. Email attached. - 5/5 Updated Surveys received, updated application. 4.20.23 md: Rec'd Soil/Septic info & attached. 5/5/23 CK - Item scheduled to be heard at the May 25, 2023 Planning Commission meeting.
File(s):	File 1: Driveway_Permit.pdf File 2: Pineur_Conservation_Easement.pdf File 3: Pineur_email_req_addl_info.pdf File 4: Pineur_land_split-soil_log.pdf File 5: waiver_of_plat_application_uid_13434__.msg

Internal Notes

Text:	BK accidently signed off for MD/Env. Health. 3.9.23 MD: still awaiting soils info 4.20.23 MD Soils/septic info recd 5/8/23 aa - have physical signed/notarized conservation easement on file.
File(s):	

CONCEPT PLAN FOR: GREG AND CEARLE PINEUR

8304 180th St W, FARIBAULT, MN

LEGEND

- . . . . FIRE HYDRANT
- . . . . WATER VALVE
- . . . . MANHOLE
- . . . . CATCH BASIN
- . . . . POWERPOLE
- . . . . LIGHT POLE
- . . . . GUY
- . . . . TRANSFORMER
- . . . . ELECTRIC METER
- . . . . TV PEDESTAL
- . . . . TELEPHONE PEDESTAL
- . . . . AIR CONDITIONER
- . . . . HAND HOLE
- . . . . SEMAPHORE
- . . . . GAS METER
- S . . . . SANITARY SEWER
- ST . . . . STORM SEWER
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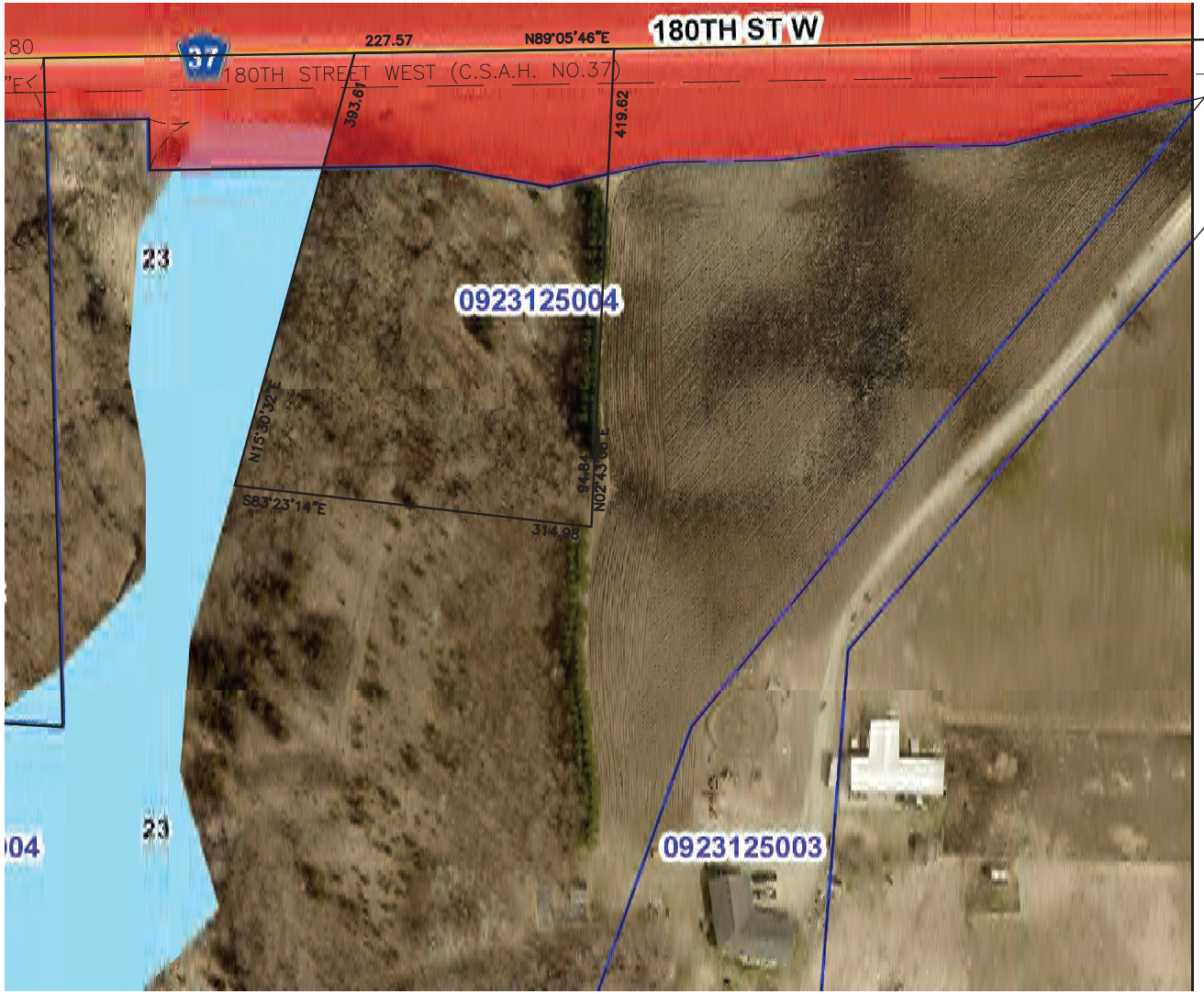
- G . . . . UNDERGROUND GAS MAIN
- T . . . . UNDERGROUND TELEPHONE
- E . . . . UNDERGROUND ELECTRIC
- TV . . . . UNDERGROUND CABLE T.V.
- OU . . . . OVERHEAD UTILITY LINES
- . . . . IRON MONUMENT FOUND
- . . . . IRON PIPE MONUMENT SET
- 281.26 × . . . . EXISTING SPOT ELEVATION
- . . . . SOIL BORING
- . . . . SIGN
- . . . . DECIDUOUS TREE
- . . . . CONIFEROUS TREE
- . . . . DENOTES TREE AND BRUSH LIMITS
- . . . DENOTES PROPOSED DRAINAGE ARROW
- (944.00). . . DENOTES PROPOSED ELEVATION



REV. NO.	DATE	BY	CHK	DESCRIPTION

SCALE: 0 50 100 FEET

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

NAME Timothy S. Peterson LIC. NO. 45332 DATE 12-15-2022

DESIGNED TSP | DRAWN TSP | CHECKED TSP

PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

CONCEPT PLAN FOR PINEUR TDR
8304 180th STREET WEST
FARIBAULT, MN 55021

SHEET 1 OF 1

PLOT DATE: 03-21-15 14:54 FILE: PTS 15000_3 MODEL: $MODELNAME$

OVEERALL PLAN FOR: GREG AND CEARLE PINEUR

8304 180th St W, FARIBAULT, MN

LEGEND

- . . . . FIRE HYDRANT
- . . . . WATER VALVE
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- . . . DENOTES PROPOSED DRAINAGE ARROW
- (944.00). . . . DENOTES PROPOSED ELEVATION

LEGAL DESCRIPTIONS

TOTAL PARCEL:

The North 51 Acres of the West One–Half (W1/2) of the Northeast Quarter (NE1/4) of Section 23, Township 110 North, Range 22 West of the Fifth Principal Meridian, Rice County, Minnesota, Excepting Therefrom the West 2 Rods thereof; And Also Excepting Therefrom that part thereof described as follows, To–Wit: Beginning at a point in the North line of said West One–Half (W1/2) of the Northeast Quarter (NE1/4) (for purposes of this description bearings are assumed and based on said North line being North 90°00'00" East), a distance of 33.03 feet Easterly from the Northwest corner of said West One–Half (W1/2) of the Northeast Quarter (NE1/4); thence
North 90°00'00" East, along said North line 218.80 feet; thence
South 00°42'34" East, 587.13 feet; thence North 85°17'03" West, 249.67 feet to a point in a line 33.00 feet Easterly from and parallel with the West line of said West One–Half (W1/2) of the Northeast Quarter (NE1/4); thence
North 02°18'02" East, along said parallel line, 567.02 feet to the point of beginning; Subject to roads, easements and restrictions of record.

SENDING PARCEL:

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Containing 11 acres more or less.

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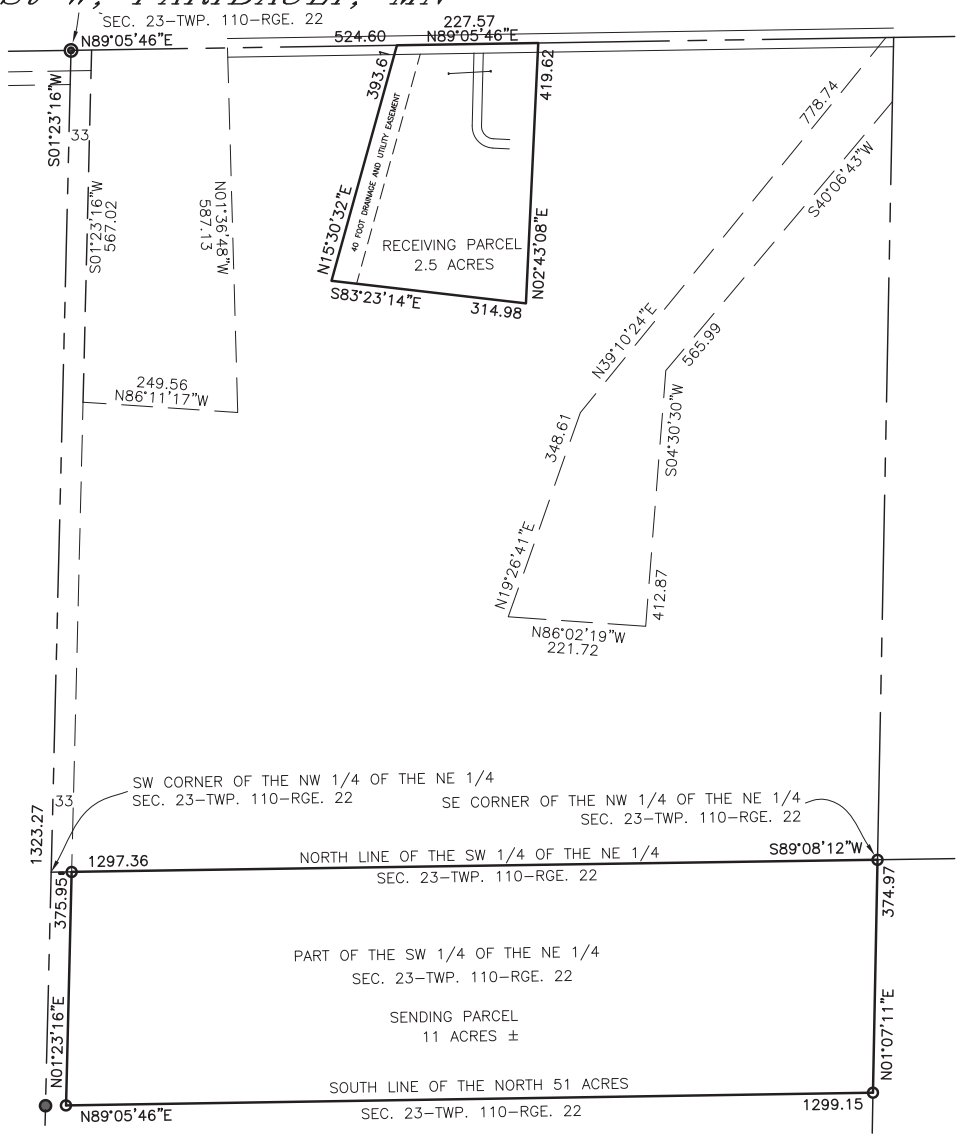
South 02°43'08" West, 419.62 feet; thence North 83°23'14" West, 314.98 feet; thence North 15°30'32" East, 393.61 feet to the Point of Beginning and there terminating.

Containing 2.5 acres including right of way.



REV. NO.	DATE	BY	CHK	DESCRIPTION

0 100 200
SCALE FEET

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NAME Timothy S. Peterson LIC. NO. 45332 DATE 12-15-2022

DESIGNED TSP
DRAWN TSP
CHECKED TSP

PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

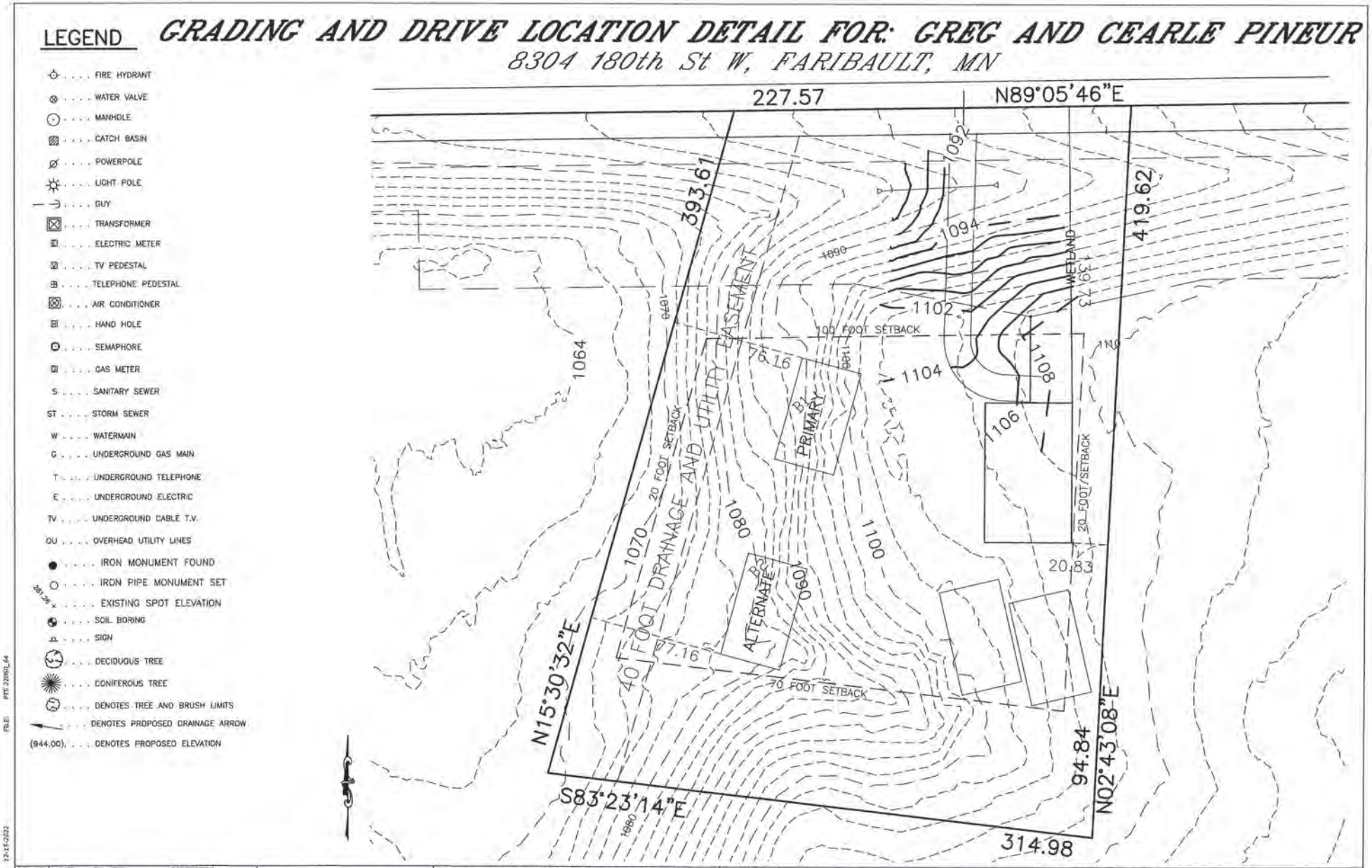
OVERALL PLAN FOR PINEUR TDR
8304 180th STREET WEST
FARIBAULT, MN 55021

SHEET 1 OF 1

PLOT DATE: 03-21-15 14:54 FILE: PTS 15000_3 MODEL: $MODELNAME$

GRADING AND DRIVE LOCATION DETAIL FOR: GREG AND CEARLE PINEUR

8304 180th St W, FARIBAULT, MN



REV. NO.	DATE	BY	CHK	DESCRIPTION
1	01-31-23	TSP	TSP	ADD SETBACKS

SCALE: 0 25 50 FEET

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COMPLETE LAND SURVEYING SERVICES

GRADING AND DRIVE LOCATION PLAN
8304 180th STREET WEST
FARIBAULT, MN 55021

SHEET 1 OF 1

CERTIFICATE OF SURVEY FOR: GREG AND CEARLE PINEUR

8304 180th St W, FARIBAULT, MN

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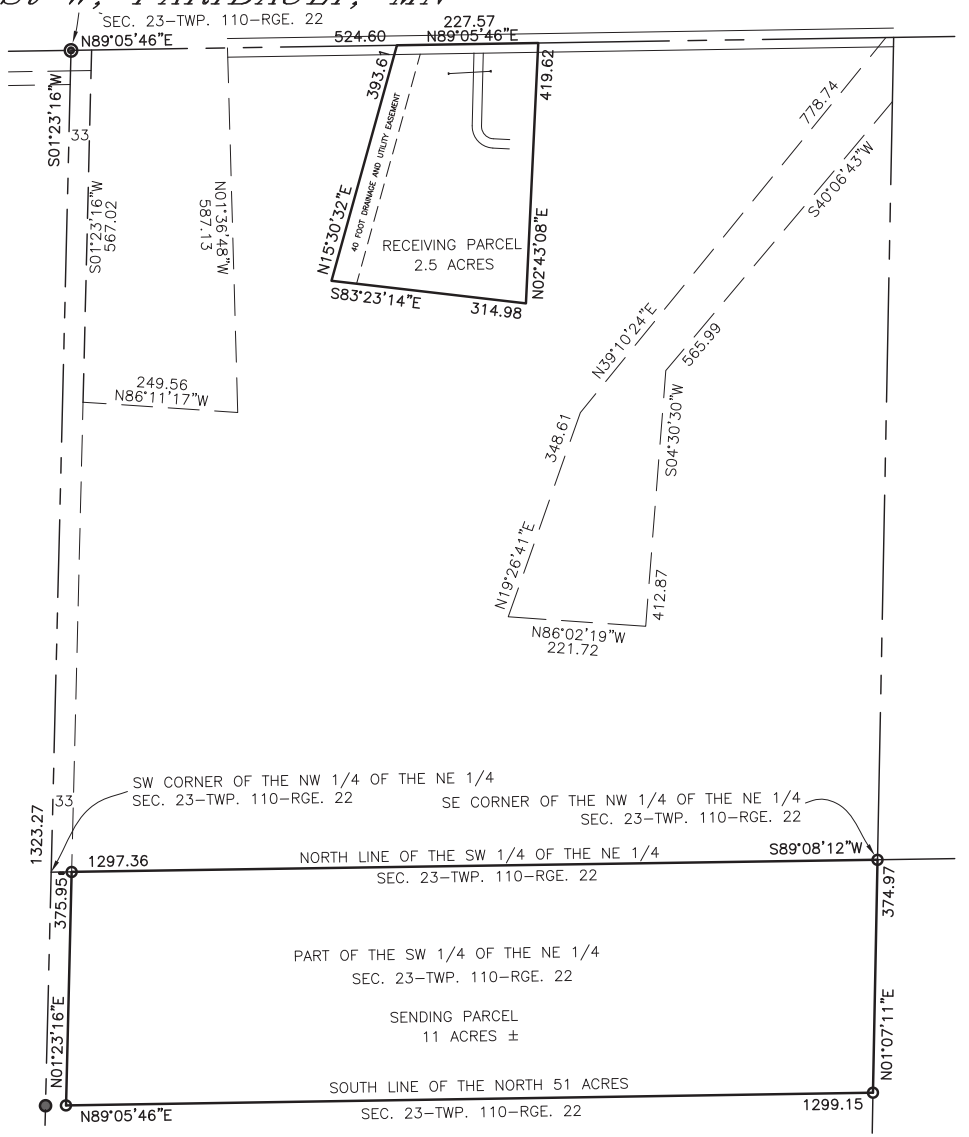

REV. NO.	DATE	BY	CHK	DESCRIPTION

PLOT DATE: 12-15-2022
FILE: PTS 22060_64

0 100 200
SCALE FEET

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NAME Timothy S. Peterson LIC. NO. 45332 DATE 12-15-2022

DESIGNED	DRAWN	CHECKED
TSP	TSP	TSP

PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

CERTIFICATE OF SURVEY
OVERALL PLAN FOR PINEUR TDR
8304 180th STREET WEST, FARIBAULT, MN 55021

SHEET 1 OF 1

CERTIFICATE OF SURVEY FOR: GREG AND CEARLE PINEUR

8304 180th St W, FARIBAULT, MN

LEGEND

- FIRE HYDRANT
- WATER VALVE
- MANHOLE
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- ELECTRIC METER
- TV PEDESTAL
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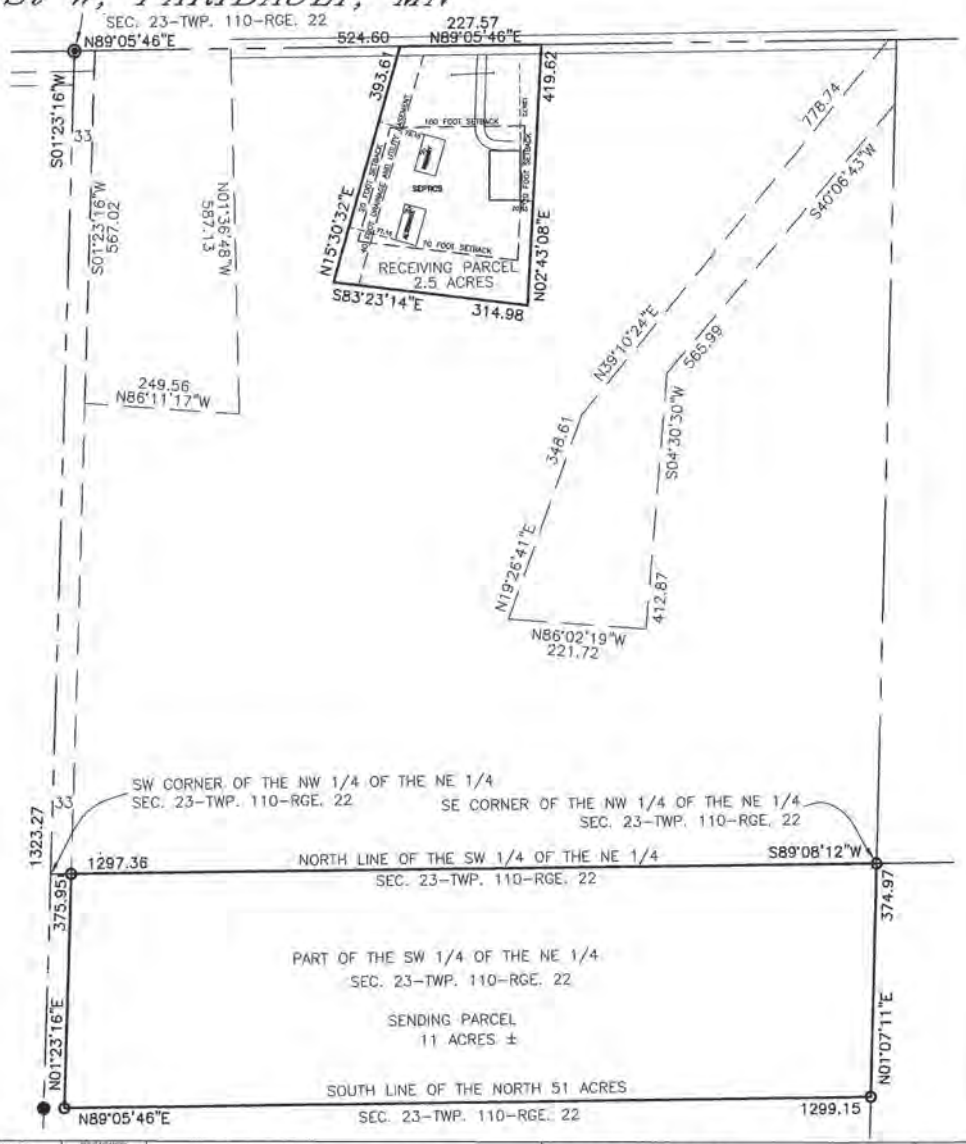

REV. NO.	DATE	BY	CHK	DESCRIPTION
1	01-31-23	TSP	TSP	ADD SETBACKS

SCALE: 0 100 200 FEET

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Name Timothy S. Peterson LIC. NO. 45332 DATE 12-15-2022

DESIGNED TSP
DRAWN TSP
CHECKED TSP

PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

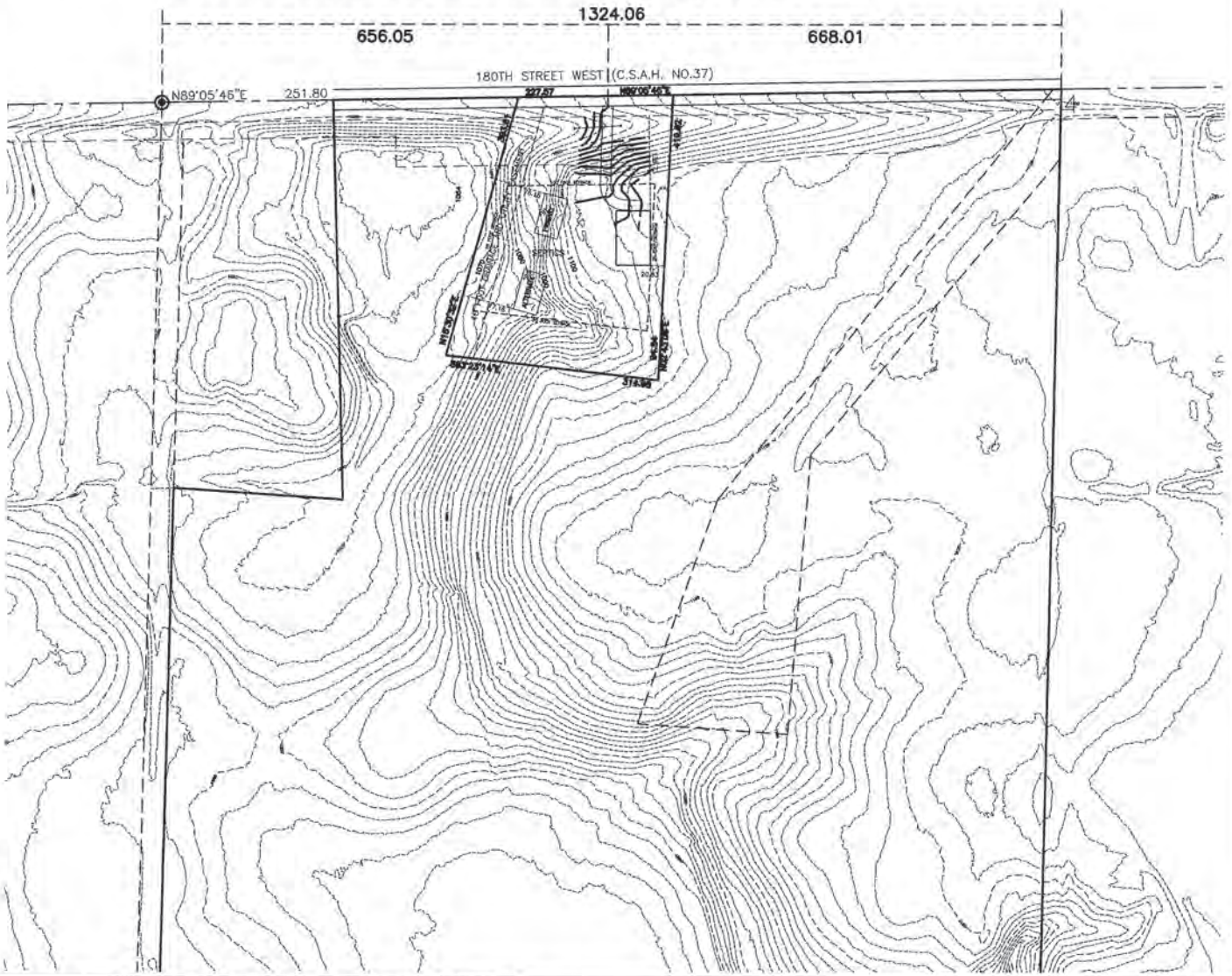
CERTIFICATE OF SURVEY
OVERALL PLAN FOR PINEUR TDR
8304 180th STREET WEST, FARIBAULT, MN 55021

SHEET 1 OF 1

FILE: PTS 22060_E4
PLOT DATE: 12-15-2022

SEPTIC LOCATION PLAN FOR: GREG AND CEARLE PINEUR

8254 180th St W, FARIBAULT, MN



LEGEND

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- WATER VALVE
- MANHOLE
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- IRON MONUMENT FOUND
- IRON PIPE MONUMENT SET
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- CONIFEROUS TREE
- DENOTES TREE AND BRUSH LIMITS
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- (944.00). . . . DENOTES PROPOSED ELEVATION

NOTE:
SEPTIC BORINGS AND REPORT WILL BE COMPLETED WHEN WEATHER PERMITS.

REV. NO.	DATE	BY	CHK	DESCRIPTION

PLOT DATE: 12-15-2022 TITLE: PTS 22060_64

0 80 160 SCALE FEET

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NAME Timothy S. Peterson LIC. NO. 49332 DATE 12-15-2022

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TSP	TSP	TSP

PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

GRADING AND DRIVE LOCATION PLAN
8304 180th STREET WEST
FARIBAULT, MN 55021

SHEET 1 OF 1

CONSERVATION EASEMENT

This Agreement (hereinafter "Conservation Easement" or "Agreement") is made this 26th day of January, 2023, between the County of Rice (hereinafter "Grantee"), a body corporate and politic existing under the law of the State of Minnesota, 320 Third Street Northwest, Faribault, MN 55021 and Greg Pincur (Husband) and Carla Brown (wife), owners 8309 180th St W Faribault MN 55021 (hereinafter "Grantor").
(Information needed to identify owners – name, marital status, ownership status, address)

RECITALS

WHEREAS, Grantor(s) is owner in Fee of land identified in Exhibit A (the Property) which is located in Rice County, Minnesota, and described in a deed recorded in the Office of the County Recorder of Rice County, Minnesota, as Document Number 378675, dated Jun 1st 1993; and

WHEREAS, Grantor seeks to convey a CONSERVATION EASEMENT to Grantee, the County of Rice, for the purpose of preserving productive farmland and open space.

WHEREAS, the Property is located in a zoning district designated under the Rice County Zoning Ordinance as eligible for the transfer of development rights from the Property; and

WHEREAS, Grantor has agreed to the transfer of all the development rights determined by Rice County to be allowable to the Property; and

WHEREAS, the current use of the Property is agricultural use, open space or natural areas, and on the Property are located 0 structures including 0 dwelling units and 0 non-residential agricultural buildings; and

WHEREAS, Grantor acknowledges the transfer of all rights to further develop the Property for any use other than the uses existing on the date of the grant of this Easement; and

WHEREAS, Minn. Stat. Ch. 84C authorizes the State of Minnesota, governmental bodies to preserve, acquire, or hold lands for open space uses, which specifically include agriculture; and that actions pursuant to these purposes are for public health, safety, and general welfare of the citizens of the State of Minnesota and for the promotion of sound land development; and

WHEREAS, Grantee is a qualified political subdivision under the laws of the State of Minnesota laws and is authorized by Minn. Stat. §375.18, subd. 12 to acquire conservation easements under chapter 84C for the purpose of implementing a transfer of development rights program; and

WHEREAS, Grantee has declared that public benefits result from the protection and conservation of agricultural land, specifically including the protection of agricultural lands for the production of food and other agricultural products; protection of scenic rural areas for public visual enjoyment from public right-of-way; and the protection of agricultural lands as valued natural and ecological resources to provide water quality benefits and open space benefits; and

WHEREAS, Grantor desires and intends that the agricultural and open space character of the Property be preserved, protected, and maintained; and

WHEREAS, Grantor desires and intends to give Grantee the right to enforce the terms of this Conservation Easement for the protection of the Property in perpetuity; and

WHERAS, Grantee agrees by acquiring this grant of conservation easement to preserve and protect in perpetuity the agricultural and open space values of the Property for the benefit of this generation and the generations to come; and

WHEREAS, the specific agricultural and open space values of the Property are documented in an inventory of the Property, dated _____, on file at the offices of Grantee and incorporated by this reference ("Baseline Documentation"), which consists of documentation that the parties agree provide, collectively, an accurate representation of the Property at the time of this grant of easement and which is intended to serve as an objective information baseline for monitoring compliance with the terms of this grant of easement.

NOW, THEREFORE, in consideration of the foregoing and intending to be legally bound, the undersigned Grantor grants and conveys to Grantee a CONSERVATION EASEMENT on the Property for the purpose of assuring that the Property will be retained forever in its agricultural and open space condition and to prevent any use that will impair the agricultural and open space values of the Property. To carry out this purpose, the following title restrictions are recorded:

A. CONVENANTS, TERMS, CONDITIONS, AND RESTRICTIONS

1. The Recitals stated above are incorporated by herein reference and intending to be legally bound, Grantor declares, makes known, and covenants for himself, his heirs, successors, and assigns, that the property shall be restricted to agricultural and open space uses.

2. This Conservation Easement shall continue in perpetuity unless terminated or otherwise amended by the parties. Any termination or amendment shall be by separate written agreement and recorded against the property.

3. Agricultural uses of land are defined for the purposes of this grant of easement, as the use of land for the production of plants and animals that qualify the Property for tax treatment under the provision of Minn. Stat. §273.11, the "Minnesota Agricultural Property Tax Law," as may be amended from time to time, or as maybe interpreted by courts of competent jurisdiction.

4. Residences and structures permitted on the Property subject to these restrictions are the residences and structures existing on the date of this easement as noted in the Baseline Documentation, or in the event of their destruction, replacements of similar size (or larger if allowed by the Rice County Zoning Ordinance) and uses.

Additional non-residential agricultural structures are allowed. Additional residential structures and uses are prohibited.

5. Upon a conveyance of all or a portion of the Property, any new Deed shall recite verbatim the terms of this Easement and incorporate this Easement by reference.

6. Use of the Property for dumping, storage, processing or landfill of non-agricultural solid or hazard wastes generated off-site is prohibited.

B. GENERAL PROVISIONS

1. Grantor reserves to himself, and to his personal representatives, heirs, successors, and assigns, all rights accruing from his ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and are not inconsistent with the purpose of this Easement.

2. No right of public access is provided for, nor will any right of public access result from the recording of these restrictions.

3. Grantee, its successors or assigns, jointly or severally, shall have the right to enforce these restrictions by injunction and other appropriate proceedings, including but not limited to, the right to require the Grantor to restore the Property to the condition existing at the time of this Grant in order to correct any violation(s) of this Grant of Easement. Representatives of Grantee, its successors or assigns, may at reasonable times and after appropriate notice to Grantor and any persons residing on the Property, enter the Property from time to time for the purposes of inspection and enforcement of the terms of the Easement.

4. Any cost incurred by Grantee in enforcing the terms of this easement against Grantor, including, court costs and attorneys' fees, and any cost of restoration necessitated by Grantor's violation of the terms of this Grant shall be borne by Grantor.

5. The restrictions contained herein shall apply to the land as a conservation easement in gross in perpetuity. The covenants, terms, conditions, and restrictions of this easement shall be binding upon and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property. A party's rights and obligations under this Easement terminate upon transfer of the party's interest in the Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

6. This easement, may be subject to modification, termination, or extinguishment, whether in whole or in part, if the zoning ordinance is amended, the property is annexed into a city, a development right is returned to the property or if circumstances arise in the future such as to render the purposes of this easement impossible to accomplish and the parties mutually agree, or by judicial proceedings in a court of competent jurisdiction.

7. If the easement is taken, in whole or in part, by the exercise of the power of eminent domain, Grantee shall be entitled to just compensation for its interest in the Property in accordance with applicable law.

8. Grantor agrees to incorporate the terms of this easement in any deed or other legal instrument by which he divests himself of any interest in all or a portion of the Property. Grantor further agrees to give written notice to Grantee of the transfer of any interest at least ten (10) days prior to the date of such transfer. The failure of Grantor to perform any act required by this paragraph shall not impair the validity of this Conservation Easement or limit its enforceability in any way.

9. Grantor shall hold harmless, indemnify and defend Grantee and its employees, agents and contractors and their heirs, personal representatives, successors and assigns (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands or judgments, including without limitation, reasonable attorneys' fees arising from or in any way connected with: (1) the result of a violation or alleged violation of any State or Federal environmental statute or regulation including the storage or disposal of hazardous or toxic chemicals or materials; (2) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition or other matter related to or incurring on or about the premises, regardless of costs, unless due solely to the gross negligence of any of the Indemnified Parties; and (3) existence and administration of this easement.

10. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep and maintenance of the premises, including the maintenance of adequate comprehensive general liability insurance coverage and payment of all real estate taxes.

11. Grantee shall record this Conservation Easement with the Rice County Recorder.

12. If any provisions of this conservation easement, or the application thereof to any person or circumstances, is found to be invalid, the remainder of the provisions of this conservation easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected and shall continue in full force and effect.

Grantee hereby conveys a conservation easement to have and to hold unto Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the parties hereto have set their hands on the date(s) indicated below intending to be bound thereby.

GRANTOR(S):

By: _____ By: _____
Signature Signature

By: Greg R. Pineur By: Cearle A Pineur
Printed Name Printed Name

STATE OF MINNESOTA)
) ss.
COUNTY OF RICE)

The foregoing instrument was acknowledged before me this 26th day of January, 2023, by Greg R Pineur and Cearle A Pineur, Married, Grantor(s).
Name(s), marital status

LAURIE KAY JOHNSON
Notary Public-Minnesota
My Commission Expires Jan. 31, 2027

NOTARY PUBLIC

_____
Notary Public

GRANTEE

COUNTY OF RICE

_____
County Chair Board

Attest:

_____
Sara Folsted, County Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF RICE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by _____, Chairperson of the Rice County Board, Rice County Minnesota, pursuant to the authority granted by its County Board.

NOTARY PUBLIC

BY: _____

Prepared by: Rice County Attorney's Office
218 NW Third Street
Faribault, MN 55021

TRANSFER DEVELOPMENT RIGHT (TDR) SENDING FORM

Owner of Sending Parcel Greg + Cearle Pinar

Mailing Address: 8304 180th St W

City, State, Zip Faribault Mn 55021 Phone: _____

Signature of Sender 1-22-23 Date

The following information is required:

1) Original copy of the signed Conservation Easement with the following provided by the applicant:
   a. First page: owner(s) name & marital or ownership status and deed information;
   b. Last page: signed & notarized by owner(s); and
   c. Legal description of sending area.

Note: The Conservation Easement is not recorded until after the TDR is approved.

2) Number of Rights being transferred 1

The TDR is not ready for transfer until the receiving area is approved by the Board of Commissioners and the Conservation Easement has been recorded by Rice County.

Please note that once the TDR is approved, the applicant is responsible for creating/filing the new parcel with the Rice County Recorder's Office.

**************************OFFICE USE ONLY*************************

Remaining TDR's in Quarter/Quarter_____

Receiving Area:
Name of Plat or Legal Description_____

Date of Approval _____/_____/_____

Date of Easement Recording _____/_____/_____

Date CE added to GIS - TDR layer_____/_____/_____

August 2016

Rice County Driveway Permit

Fee:	
Paid:	

Inspected	
Date:	

Final Insp.	
Date:	

Permit # _____

Name of Applicant Greg Pruss

Address ALREADY Turned In

City/Zip _____

Telephone _____

Name of Property Owner _____

Address _____

City/Zip _____

Telephone _____

County Road # _____ **Nearest Intersection** _____

Parcel ID # _____

Give exact location of proposed driveway to property _____

Purpose of Driveway Residential _____ Field _____ Commercial _____

Is land higher? _____ lower? _____ or level? _____ with highway

Is there an existing driveway at location? _____ Is driveway to be repurposed? _____

Number of present driveways to property _____ Date proposed driveway will be needed _____

Location of Proposed Driveway **MUST** be marked. Date marked _____

Width of driveway requesting _____ ft Must be within driveway use standards. (See permit standards)

Space availabe to sketch Property, Present, and Proposed Driveways
On last page of Application

I, We the undersigned, herewith make application for permission to construct the access driveway at the above location, said driveway to be constructed to conform with the standards of the County Highway Department and Planning and Zoning Department and to any special provisions included in the permit. It is agreed that all work will be done to the Satisfaction of the County Highway Department and the Planning & Zoning Department. It is further agreed no work in connection with this application will be started until the application is approved and the permit issued.

_____ Date

_____ Applicant's Signature

APPLICANT DO NOT WRITE BELOW THIS LINE

ACCESS DRIVEWAY PERMIT

Application for access driveway permit is (granted)(denied) for the following reasons:

_____

_____

If application is approved said driveway is subject to the requirements and special provisions on reverse side. It is expressly understood that this permit is conditioned upon replacement or restoration of the highway to its original or to a satisfactory condition. It is further understood that this permit is issued subject to the approval of local city, village, or borough authorities having joint supervision over said street or highway.

COUNTY HIGHWAY DEPARTMENT

_____ Date

_____ County Engineer

COUNTY PLANNING & ZONING DEPARTMENT

_____ Date

_____ County Planning & Zoning Administrator

Rice County Driveway Permit

Fee: $150 CK 1083
Paid: 12-20-22 KR

Inspected: Jw
Date: 17Jan23

Final Insp.
Date:

Permit # 1145

Name of Applicant	Gregory R. Pineur	Name of Property Owner	
Address	8304 180th St West	Address	
City/Zip	Faribault, MN 55021	City/Zip	
Telephone	651-248-6044	Telephone	
County Road #	37	Nearest Intersection	Holland Trail will pickup
Parcel ID #	092312 5003		

Give exact location of proposed driveway to property: Midway between N 1/4 corner and NE cor of NW 1/4 of NE 1/4, Sec. 23, Twp. 110 W, Rge. 22 W

Purpose of Driveway: Residential X Field ____ Commercial ____

Is land higher? X lower? ____ or level? ____ with highway

Is there an existing driveway at location? NO Is driveway to be repurposed? New Lot

Number of present driveways to property 1 Date proposed driveway will be needed Spring 2023

Location of Proposed Driveway **MUST** be marked. Date marked ____

Width of driveway requesting 24 ft Must be within driveway use standards. (See permit standards)

Space available to sketch Property, Present, and Proposed Driveways
On last page of Application

I, We the undersigned, herewith make application for permission to construct the access driveway at the above location, said driveway to be constructed to conform with the standards of the County Highway Department and Planning and Zoning Department and to any special provisions included in the permit. It is agreed that all work will be done to the satisfaction of the County Highway Department and the Planning & Zoning Department. It is further agreed no work in connection with this application will be started until the application is approved and the permit issued.

12-20-22
Date

Applicant's Signature

APPLICANT DO NOT WRITE BELOW THIS LINE

ACCESS DRIVEWAY PERMIT

Application for access driveway permit is (granted)(denied) for the following reasons:
Approval contingent on the zoning approval of a building site in that location.

If application is approved said driveway is subject to the requirements and special provisions on reverse side. It is expressly understood that this permit is conditioned upon replacement or restoration of the highway to its original or to a satisfactory condition. It is further understood that this permit is issued subject to the approval of local city, village, or borough authorities having joint supervision over said street or highway.

1-18-2023
Date

COUNTY HIGHWAY DEPARTMENT

County Engineer

12/23/2022
Date

COUNTY PLANNING & ZONING DEPARTMENT

Kristin Robillard for Trent McCorkell
County Planning & Zoning Administrator

REQUIREMENTS

1. No work under this application is to be started until application is approved and the permit issued.

2. Where work on travelled roadway is necessary, traffic must be protected, and flags, flares, and proper barricades must be placed in accordance with the standards of the County Highway Department.

3. No foreign material such as dirt, gravel, or bituminous material shall be left or deposited on the road during the construction of driveway or installation of drainage facilities.

4. Culverts and aprons for new and modified driveways shall be new and unused materials meeting the following requirements:

   A. Corrugated Metal Pipe (CMP)
      1) Corrugated metal pipe culvert shall be riveted pipe only. Spiral pipe is not allowed.
      2) Corrugated metal pipe culvert and aprons shall meet the requirements of MNDOT Standard Specifications for Construction, Section 3226 'Corrugated Metal Pipe' and the latest revision of the applicable MNDOT Standard Detail Plates 3040, 3122, 3123 and 3221.

OR

   B. Reinforced Concrete Pipe (RCP)
      1) Reinforced concrete pipe and aprons shall meet the requirements of MNDOT Standard Specifications for Construction, Section 3236 Reinforced Concrete Pipe and the latest revision of the applicable MNDOT Standard Detail Plates 3000, 3014, 3100 and 3110.

Pipe materials not meeting the requirements above shall not be allowed and are subject to removal and replacement by the applicant.

5. Roadside must be cleaned up and vegetation restored after work is completed.

6. Rural driveways constructed with concrete must end at the back of approach radius. Bituminous asphalt pavement will be utilized for the driveway approach to the County roadway. Any driveway constructed otherwise, may not be replaced in-kind should the County Highway Dept need to repair or replace a culvert, or if roadway improvements such as repaving results in profile/elevation changes.

7. **After driveway construction is completed the permittee shall notify the County Highway Department that the work has been completed and is ready for final inspection and approval by the County Highway Department.**

8. No changes or alterations in entrances may be made at any time without written permission from the County Highway Department and Planning and Zoning Department.

9. The permit is valid for one year from approval date.

Driveway Access and Standards

(1) A permit shall be required for all new driveways.

(2) The location of direct access for a driveway to any county road shall be approved by the Rice County Highway Engineer and Planning Director prior to any development of the property affected by said access. Access to township roads shall be regulated by Town Boards.

(3) The decision of the Rice County Highway Engineer and Planning Director shall be final subject to appeal pursuant to the Administrative Procedures Ordinance.

(4) The access driveway locations along the public roadway shall meet the following:

A) Shall be spaced a minimum of 125 feet from any other driveway.

B) Shall be a minimum of 125 feet from the nearest edge of right-of-way at a street or highway intersection.

C) Shall be combined or shared wherever feasible in order to reduce the number of accesses. In any instance, no more than three (3) accesses shall be permitted from any residential plat except for cul-de-sacs.

Based on "A Policy on Geometric Design of Highways and Streets, 1990 AASHTO"

STOPPING SIGHT DISTANCE

25 mph	30 mph	35 mph	40 mph	45 mph	50 mph	55 mph	60 mph
150'	200'	250'	325'	400'	475'	550'	650'

(6) Performance Standards.

All dwellings, whether located in an Agricultural or Residential Zoning District, shall provide an access driveway. The driveway shall include an all weather driving surface constructed as follows:

A) Less than two hundred feet. All access driveways that are less than two hundred (200) feet long shall be constructed to provide the following:

1) an unobstructed driving surface at least twelve (12) feet wide; and

2) A driving surface of Class I material, or approved aggregate substitute, that is at least three (3) to four (4) inches thick.

B) Two hundred feet or more. All access driveways that are two hundred (200) feet long or longer shall be constructed to provide the following:

1) an unobstructed driving surface at least fourteen (14) feet wide;

2) a driving surface of Class I material, or approved aggregate substitute, that is at least three (3) to four (4) inches thick;

3) an unobstructed minimum forty-five (45) foot turning radius at the end of the driveway near the dwelling, or a turnaround that can accommodate a vehicle with a forty-five (45) foot turning radius, said radius to be constructed with the same driving surface as provided at (2) above.

c) The access driveway shall be improved to the established standard to insure access for emergency vehicles and shall otherwise be continuously maintained. Said driveway shall be constructed prior to the issuance of an occupancy permit.

criteria shall apply. A left turn bypass lane shall be required for intersections serving over 10 homes in Rural Areas.

Traffic control on the Rice County roadway system, including at public and private street intersections, shall be consistent with the Minnesota Manual on Uniform Traffic Control Devices (MMUTCD).

Driveway Design Standards – Similar to roadway intersections, driveways create conflict points along county roadways. Improperly designed driveways may result in operational and safety deficiencies for both the roadway and driveway users. Design details for driveways on county roadways shall be consistent with Mn/DOT Standard Plates 7035 and 9000. The recommended driveway design standards for entrances on county roadways are presented below.

Table 2.4-2 Driveway Design Standards

	Commercial/ Industrial/ Farm/Field	Urban Residential	Rural Residential
Width	32'	16'	24'
Maximum Grade	8%	10-15%	10-15%
Approach Grade	0.5% - 25' Landing	0.5% - 25' Landing	0.5% - 25' Landing
Entrance Radii	25'	NA	25'
Side Slope	1:6	NA	1:6

2.5 Jurisdictional Designation

The jurisdictional designation of a roadway identifies which level of government owns and maintains it. This is an important element of a Transportation Plan, because it defines responsibilities for a roadway and affects many areas including regulatory, maintenance, construction, and financial. The current jurisdictional designation of roads within Rice County is identified on Figure 2.5-1 – Existing Jurisdictional Designation.

Guidelines for Jurisdictional Designation

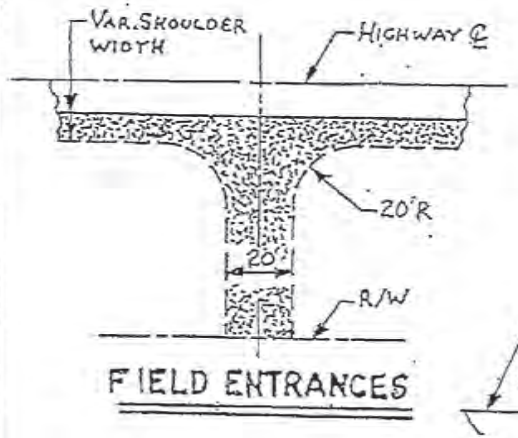
Jurisdictional designation is based on a variety of issues and factors including functional classification, system continuity, access control, type of trips served (purpose and length), traffic volumes, legal requirements, historical practices, and funding and maintenance issues. The primary goal in reviewing jurisdiction is to match the roadway's function with the unit of government best suited for its responsibility.

The following guidelines were discussed and agreed upon by the Transportation Advisory Committee to provide a basis to review the routes in Rice County for potential jurisdictional transfers. These guidelines will not determine if the jurisdictional transfers are feasible or politically acceptable, nor do they establish a timeframe under which transfers may occur. Instead, the guidelines define a common-sense approach for arriving at logical jurisdictional designations. It is not anticipated that all guidelines must be met in order for a jurisdictional designation to be recommended. However, a route meeting more criteria will have a stronger case for recommending a new route designation.

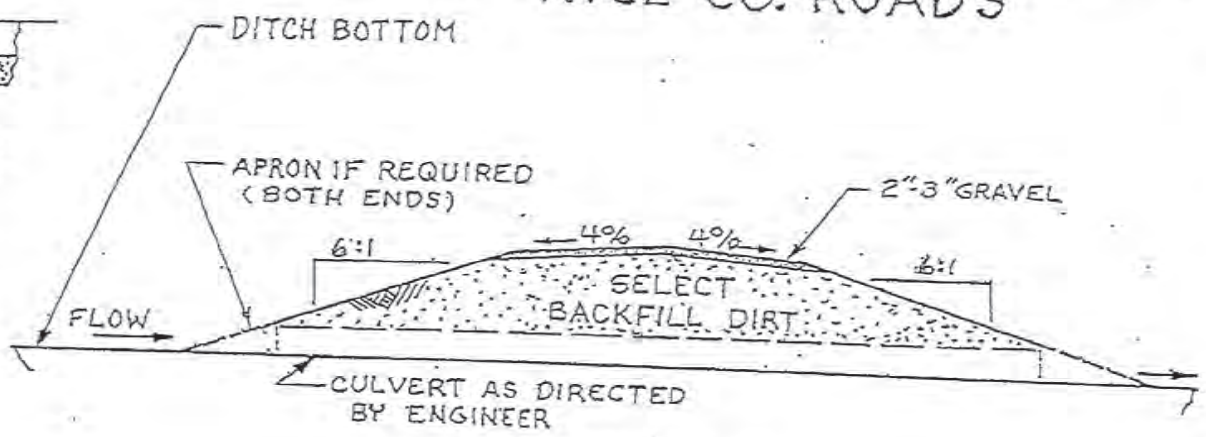
State Jurisdiction – Normally, state jurisdiction is focused on routes that can be characterized as follows:

- Functional classification of either a Principal Arterial or Minor Arterial;
- Typically longer routes serving statewide and interstate trips that connect larger population and business centers;

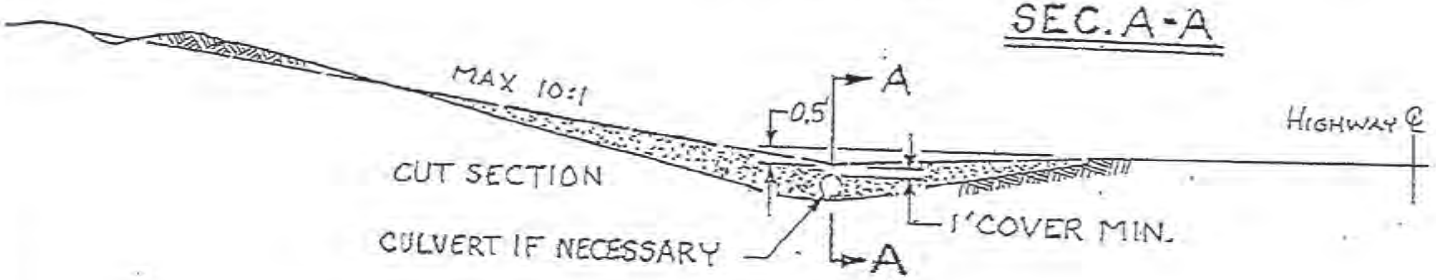
TYP. FIELD ENTRANCE DETAILS
RICE CO. ROADS

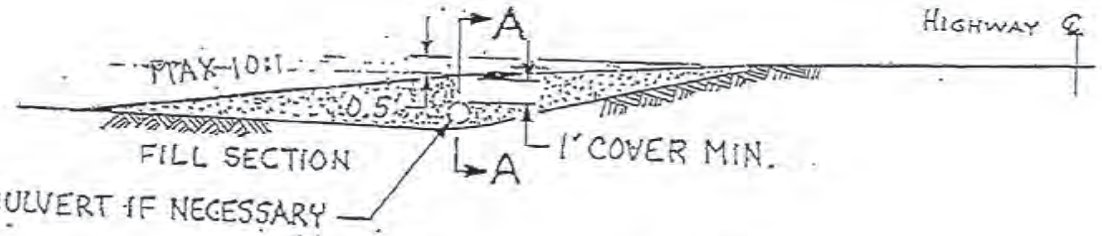


FIELD ENTRANCES



SEC. A-A





CROSS SECTIONS

Sketch Property, Present, and Proposed Driveways

SPECIAL PROVISIONS
(Office Use Only)

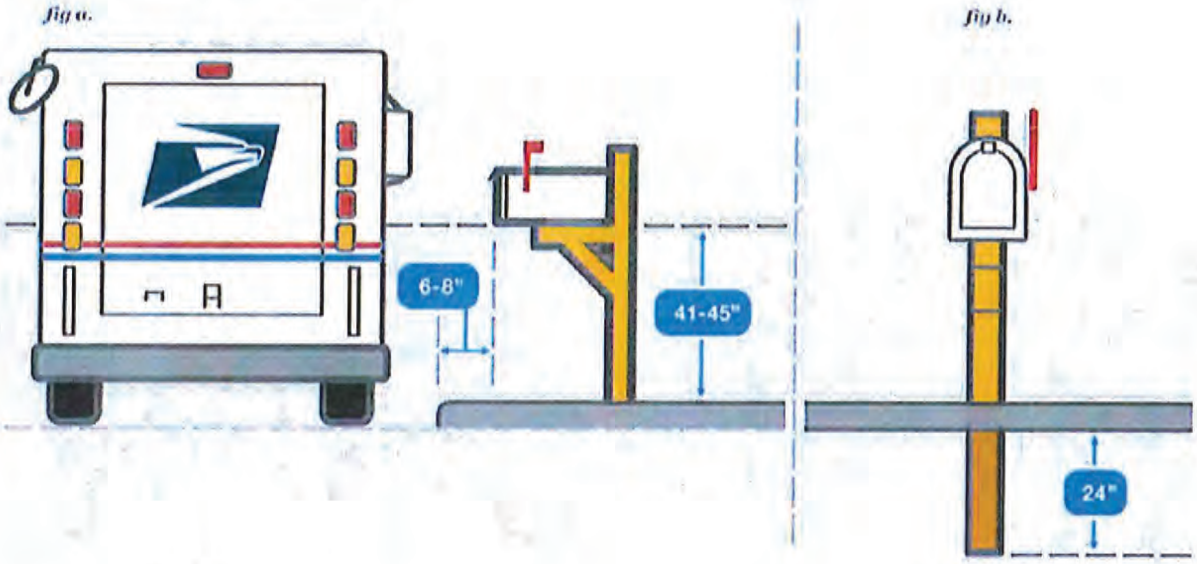
Length of culvert 60'

Diameter of culvert 18"

Other 2 APRONS REQUIRED. 3' OF COVER REQUIRED. 6:1 SIDE SLOPES REQUIRED.

Permit # 1145

Mailbox Guidelines



Installing a New Mailbox

Look for Postmaster General's Seal.

Placing the Mailbox

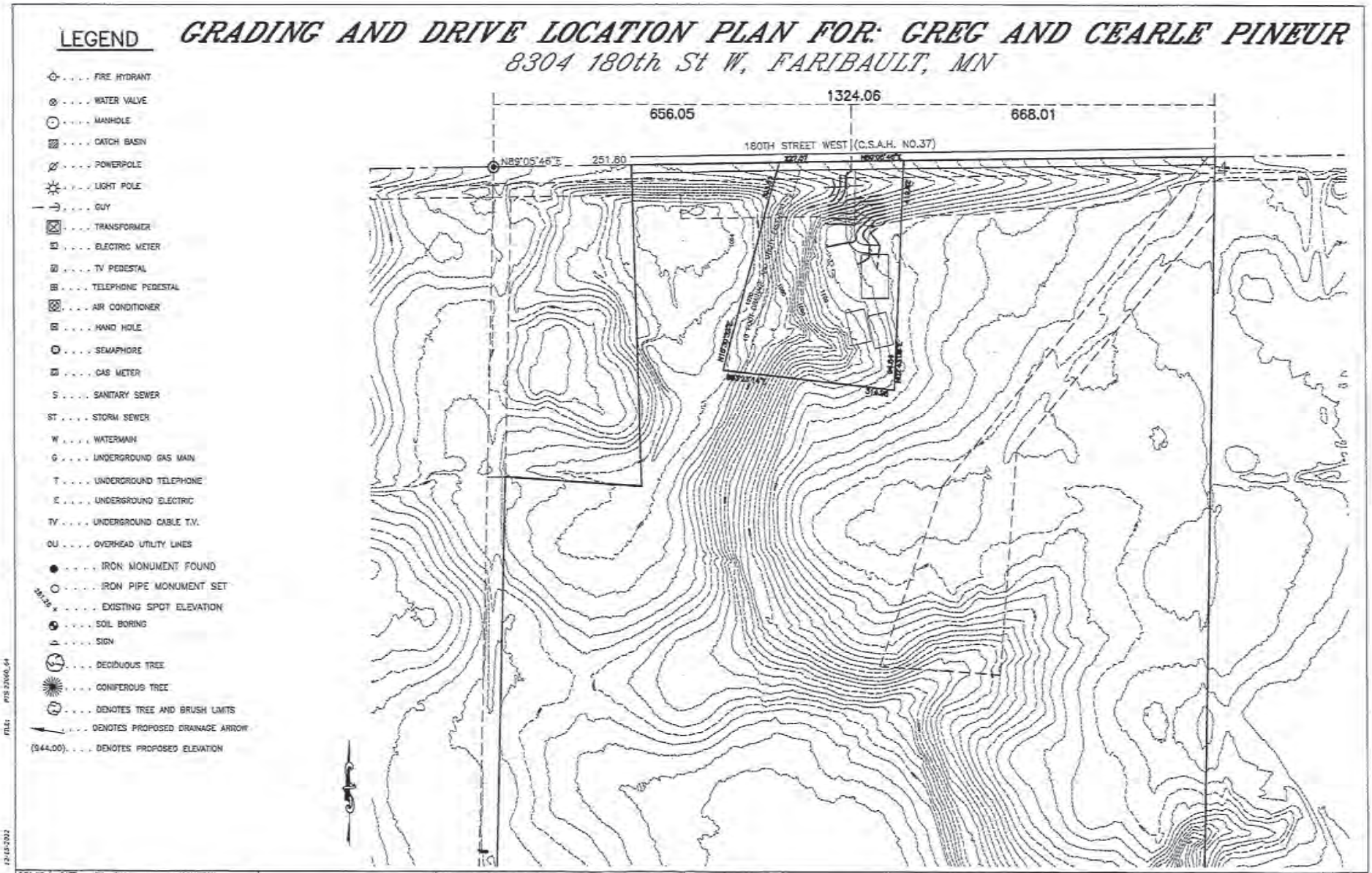
- Position your mailbox 41" to 45" from the road surface to the bottom of the mailbox or point of mail entry.
- Place your mailbox 6" to 8" back from the curb. If you do not have a raised curb, contact your local postmaster for guidance.
- Put your house or apartment number on the mailbox.
- If your mailbox is on a different street from your house or apartment, put your full street address on the box.
- If you are attaching the box to your house, make sure the postal carrier can reach it easily from your sidewalk, steps, or porch.

Installing the Post

- A 4" x 4" wooden support or a 2"-diameter standard steel or aluminum pipe.
- Avoid unyielding and potentially dangerous supports, like heavy metal pipes, concrete posts, and farm equipment (e.g., milk cans filled with concrete).
- Bury your post no more than 24" deep.

GRADING AND DRIVE LOCATION PLAN FOR: GREG AND CEARLE PINEUR

8304 180th St W, FARIBAULT, MN



REV. NO.	DATE	BY	CHK	DESCRIPTION

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

Timothy S. Schlegel, Lic. No. 41572, date 12-15-2022

DESIGNED	TSS
DRAWN	TSS
CHECKED	TSS

PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

GRADING AND DRIVE LOCATION PLAN	
8304 180th STREET WEST	
FARIBAULT, MN 55021	
SHEET	1 of 1

FILE: PTS 22060_64

PLOT DATE: 12-15-2022

Dahle Enterprises of Morristown, LLC.

25525 Independence Ave
PO Box 247
Morristown, MN 55052
Phone 507-685-2148
Fax 507-685-2152

April 19, 2023

Rice County Planning & Zoning
320 3rd St NW
Faribault, MN 55021

To Whom It May Concern:

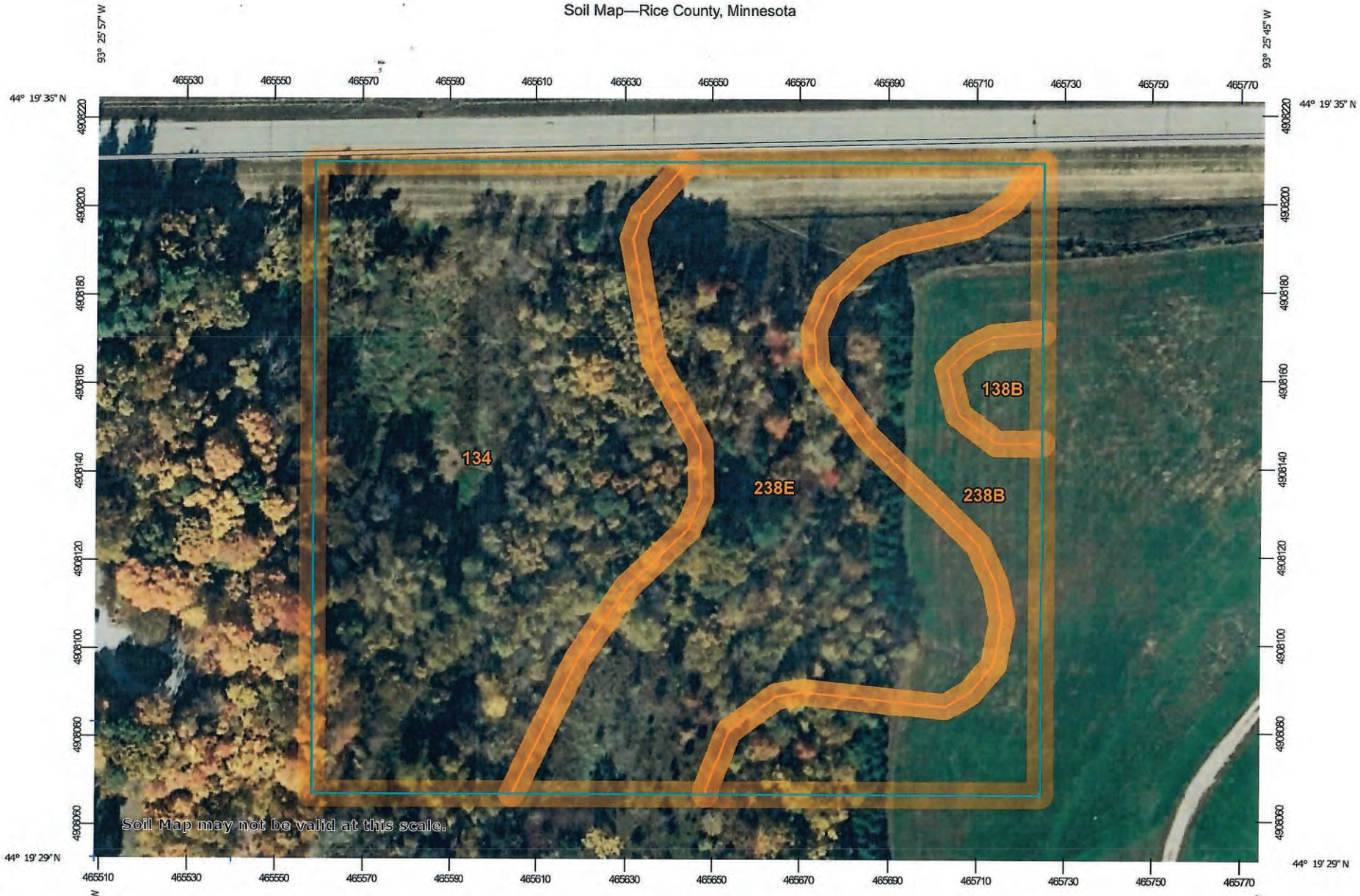
I, Troy Dahle, made a site visit to Parcel ID # 09.23.1.25.003 for Greg Pineur. I performed six soil borings for a primary and secondary septic site. (Please see attached soil boring log sheet.) Upon the completion of the borings, there is enough room to install Type I septic systems on both the primary and secondary sites.

If you have any questions please call.

Thank you

Troy Dahle
C1718
Dahle Enterprises of Morristown L419
507-838-7241

Soil Map—Rice County, Minnesota



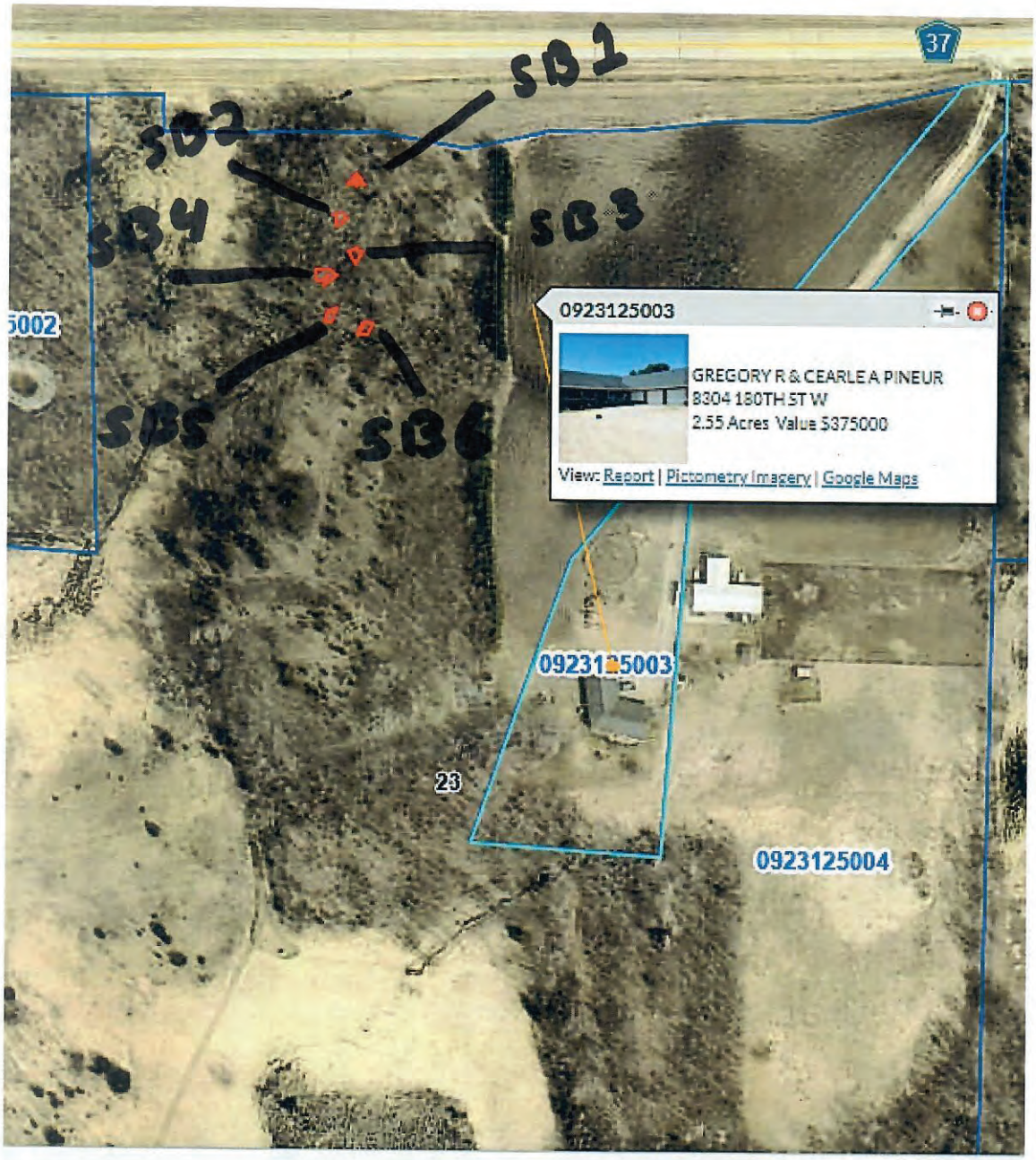
Map Scale: 1:1,210 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 15 30 60 90

Feet: 0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84



Owner Address

A-Agricultural Homestead - HGA

UNIVERSITY OF MINNESOTA

OSTP Soil Observation Log

Project ID:

v 03.19.15

Client/ Address:	8304 180th St. W	Legal Description/ GPS:	0923125003		
Soil parent material(s): (Check all that apply)	☐ Outwash ☐ Lacustrine ☐ Loess ☒ Till ☐ Alluvium ☐ Bedrock ☐ Organic Matter				
Landscape Position: (check one)	☐ Summit ☐ Shoulder ☐ Back/Side Slope ☒ Foot Slope ☐ Toe Slope	Slope shape	1-2%		
Vegetation	Woods	Soil survey map units		Slope%	2.6
Elevation:					
Weather Conditions/Time of Day:	Sunny 11:45	Date	4-14-23		
Observation #/Location:	North west SPLT	Observation Type:	Borings		

Depth (in)	Texture	Rock Frag. %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Structure: Shape	Structure: Grade	Structure: Consistence
SB1									
0-12"	Loamy	<35%	2/2	13"	Concentrations	S2		mod.	friable
12"-15"	clay	<35%	4/1		Dep.			mod.	firm
SB2									
0-12"	Loam	<35%	2/3					weak	firm
12"-15"	clay	<35%	4/1	14"/=	concent Depl	S2		mod	firm
SB3									
0-11"	Loam	<35%	2/1					mod	friable
11"-14"	clay	<35%	4/1	14"/=	Concent Dep.	S2		Strong	Rigid

Comments

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Troy Dahle		C1718	4-14-23
(Designer/Inspector)	(Signature)	(License #)	(Date)

UNIVERSITY OF MINNESOTA

OSTP Soil Observation Log

Project ID:

v 03.19.15

Client/ Address:	8304 180th St. W	Legal Description/ GPS:	0923125003		
Soil parent material(s): (Check all that apply)	☐ Outwash ☐ Lacustrine ☐ Loess ☒ Till ☐ Alluvium ☐ Bedrock ☐ Organic Matter				
Landscape Position: (check one)	☐ Summit ☐ Shoulder ☐ Back/Side Slope ■ Foot Slope ☐ Toe Slope	Slope shape	1-2 %		
Vegetation	Woods	Soil survey map units		Slope%	2.6
Elevation:					
Weather Conditions/Time of Day:	Sunny 11:45	Date	4-14-23		
Observation #/Location:	North west SPLIT	Observation Type:	Borings		

	Depth (in)	Texture	Rock Frag. %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Structure: Shape	Structure: Grade	Structure: Consistence
SB4	0-14"	Loamy	<35	2-3	14" ///	Concentration Depl	S2	-	mod	Loose
	14"-16"	clay		4-1					mod	firm
SB5	0-12"	Loamy	<35	2-1					weak	firm
	12"-14"	clay	<35	4-1	13" ///	Concentration Depl.	S2		mod	firm
SB6	0-10"	Loamy	<35	2-2					weak	friable
	10"-16"	clay	<35	4-1	14" /4	Concentration Depl.	S2		weak	firm

Comments

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

Troy Dahle		C1718	4-14-23
(Designer/Inspector)	(Signature)	(License #)	(Date)