

# RICE COUNTY ENVIRONMENTAL SERVICES DEPARTMENT MEMORANDUM

TO: Planning Staff  
 FROM: Trent McCorkell, Zoning Administrator  
 MEETING DATE: September 7, 2017  
 SUBJECT: Bongers – Mining CUP

**SUMMARY OF THE APPLICATION**

William Bongers has applied for a conditional use permit for a gravel extraction, washing, and crushing operation.

Application Data

APPLICANT: William Bongers

LOCATION: The property is described as: Part of the SW1/4 of the SE1/4 of Section 5, Cannon City Township, Rice County, Minnesota. The property address is: 2687 158th St E, Faribault, MN 55021. PID#: 11.05.4.50.001.

ZONING: A, Agricultural

Lot Area/Dimensions

	<b>Lot Area</b>	<b>Lot Width</b>
<b>Subject Parcel(s)</b>	30.9-acres	>50-ft
<b>Minimum Requirement</b>	2.5 acres	50-ft

	<b>Mining Area</b>	<b>Setbacks</b>	<b>Depth</b>
<b>Proposed mining area</b>	10-acres.	>100-ft County ROW The south line and east property lines adjoin a neighboring mining operation where mining operation would be allowed to meet.	Lowest elevation shown for mining is an elevation of approx. 964' with the current highest current ground elevation within the mining area around 1012' Average excavation depth appears to be around 20-30 feet below the current ground elevations.
<b>Requirement</b>	Maximum 10-acres open at one time	100-ft from County Road Right of Way, 20-ft. from other property lines.	N/A

Location

The subject property is located on the south side of 158<sup>th</sup> St E., approximately 2-miles northeast of the City of Faribault.

### Roads and Access

Proposed access is utilizing an existing driveway onto 158<sup>th</sup> St E., (County Road 29). This driveway is an existing filed access and mining/hauling access for the gravel operation located south of this property.

### Existing Site Conditions

Photos of the property will be presented at the meeting.

### Proposed Site Design

See attached site plan

## **APPLICABLE ZONING ORDINANCE SECTIONS**

Sections 503.05, 507.07(I) and 509

### **If the Planning Commission moves to approve the application, conditions may include the following:**

1. The permittee shall comply with all rules, regulations, requirements, or standards of the Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, Army Corps of Engineers and other applicable federal, state or local agencies.
2. The Conditional Use Permit (CUP) is for a sand and gravel mining operation including aggregate crushing and washing operations.
3. The applicant or operator shall furnish a six (6) year \$100,000 bond or other financial surety for haul road repair and for site restoration. All financial surety shall be reviewed and approved by the Rice County Attorney's office prior to any work on site.
4. This conditional use permit shall be valid for a period of five (5) years from its issuance and must be renewed prior to that time or the site completely restored. Failure to renew the permit or to restore the site shall result in the county exercising the bond and using the proceeds to restore and properly close the site.
5. The mineral extraction mining operation shall be restricted to the area on the applicant's submitted site plan, subject to compliance with minimum setback requirements. 100-ft to County Road Right of Way (ROW) and 20-ft to other property lines. If mining is approved on the neighboring property to the east and south mining may be allowed to connect to the neighboring mining operation if an agreement between landowners is submitted to the Rice County Environmental Services department. Any other deviation from these boundaries will require application for a new conditional use permit.
6. Mining boundaries and required setbacks shall be marked onsite prior to mining and markings shall be maintained throughout the operation. No more than 10-acres of the proposed mining area shall be open to mining at any one time.
7. The hours of operation shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 7:00 a.m. to 3 p.m. on Saturdays.
8. The banks shall be sloped at a minimum 4:1 and the operator shall be required to keep the pit or excavation in such conditions as not to be in danger of caving or sliding banks, to ensure stability.

9. Topsoil from the excavation site is to be stockpiled on the premises for use in restoration of the site. No topsoil is to be removed from the site.
10. The applicant is to follow the approved reclamation plan. Reclamation shall be ongoing so that previously mined land is reclaimed as new areas are opened to mineral extraction. The site is to be completely restored to a condition suitable for wildlife habitat or farmland upon completion of permit. Restoration shall include final seeding/cover of the area.
11. The applicant is to be responsible for repair of county, state and township roads adjacent to the site due to damage hauling from the site. The roads are to be restored to their original condition after the gravel mining operation ceases.
12. Within the pit property all access drives shall be treated with a dust control product (such as calcium chloride), or shall have water applied. Treatments or applications for dust control shall be applied and maintained in a condition to prevent airborne dust, originating from the pit access drives, from leaving the property during times of mining or processing activities on the property.
13. Solid waste shall not be placed in the gravel pit; illegally dumped material shall be immediately removed by the applicant.
14. The site is to be cleaned of all debris and equipment after closure of the pit.
15. "Trucks Hauling" signs with red flags are to be posted in locations to be determined by the County Highway Engineer when hauling from the site and to be removed when hauling is not taking place.
16. The site shall be secured at access points.