

Applicant

Owner

Reeve Cumming
59540 109th Street
Mapleton, MN 56065

Contractor

Lime Land Industries LLC
55173 State Hwy 68
Mankato, MN 56001

Request and Location

Request for a conditional use permit to stockpile agricultural lime in an Agricultural Zoned District located in part of the SW 1/4 of the NE 1/4 of Section 24, Mapleton Township.

Legal Description

Commencing at the Southwest corner of the NE ¼ of Section 24, Township 105, Range 26; thence proceeding North on the West quarter-section line of said NE ¼ to the Southerly boundary of the right-of-way of the Chicago, Milwaukee and St. Paul Railroad Co.; thence proceeding in a Southerly and Easterly direction along the Southerly edge of said right-of-way to a point where said Southerly edge intersects with the South quarter-section line of said NE ¼; thence West on the quarter-section line to the place of beginning. Except railroad right-of-way and any and all highways of record.

Zoning

Agricultural

General Site Description and Proposed Use

The property includes 17.55 acres and consists primarily of crop land. The extreme southeast corner of the property includes a small area (less than one acre) of grass land and some trees.

The proposal is to arrange for an area near the southeast corner to stockpile and store agricultural lime for future land application. The process will include stripping off the topsoil which will be used to construct a berm around the perimeter. The proposal at this time is to construct storage and work areas totaling less than one acre.

If approved, approximately 10,000 tons of ag lime will be stockpile and stored on site for future land application to nearby farm fields. Hours of operation will be from 7:00 a.m. to 10:00 p.m. seven days a week. Operation of the site will be seasonal from September through December with most activity taking place during October and November. At the peak of the season as many as 80 trucks may be entering and leaving the site on any given day. There will not likely be any fuel storage on site.

Access

Access to and from the site will be from a proposed access off of 113th Street, a Township road.

Existing Land Use within 1/4 Mile

North: State Hwy 22, crop land and one residence
South: 113th Street (a Township road) and crop land
Southwest 113th Street (a Township road), crop land, and one residence
East: State Hwy 22 and crop land
West: County road 156 and crop land

NATURAL RESOURCES INFORMATION

Topography

The general topography of the area is quite flat.

Floodplain

The proposal is not within a floodplain area.

Shoreland

The proposal is not within a shoreland area.

Wetlands

According to the National Wetlands Inventory, there are no wetlands on the property.

Township Review – At the time this report was written, no comment had been received from the Township.

Environmental Health Review – See attachment A-3.

Opinions

Based on the information submitted by the applicant, contained in this report, and as required in Sec. 24-466 of the County Code, the following opinions have been developed for this request:

1. That the proposed use conforms with the county land use plan.
2. The demonstrated need for the proposed use.
3. That the proposed use will not degrade the water quality of the county.
4. That the proposed use will not adversely increase the quantity of water runoff.
5. That soil conditions are adequate to accommodate the proposed use.
6. That the proposed use does not create a potential pollution hazard.
7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.
10. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
11. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.
12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- NA 13. That the density of proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable zoning district.
14. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals and general welfare.
- NA 15. That the intensity of the proposed residential development is not greater than the intensity allowed in the Agricultural Zoning District. Section 24-111 of the Agricultural District States: "Owners of property, residents, other users of property in the agricultural zone, and neighboring properties adjacent to the agricultural zone may be subjected to inconvenience or discomfort arising from normal and accepted agricultural practices and operations including, but not limited to; noise, odors, dust, operation of aircraft and late night operation of farm machinery, the storage and application of manure, fertilizers, soil amendments, herbicides, and pesticides associated with normal agricultural operations.

Recommendations

Staff recommends **approval** of the request to stockpile agricultural lime in an Agricultural Zoned District located in part of the SW 1/4 of the NE 1/4 of Section 24, Mapleton Township with the following conditions:

1. That adequate silt fence or comparable erosion control measures be installed on the back side of the proposed berm as outlined on the attached site plan.
2. That all erosion control measures shall be maintained throughout the process and until an adequate vegetative cover can be established. This will include, but is not limited to, the removal of silt as needed and repairing any washouts that form in the slopes.

3. That following the final grading and abandonment of the site all exposed areas will be immediately seeded into an appropriate seed mix or converted back into crop land.
4. That a wetland exemption application be completed and approved prior to September 20, 2011.
5. That if needed, an MPCA Storm Water Permit be obtained prior to exceeding one acre of disturbed soil.

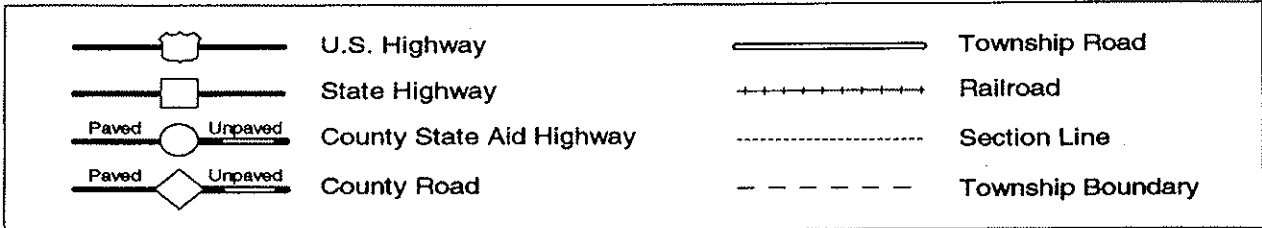
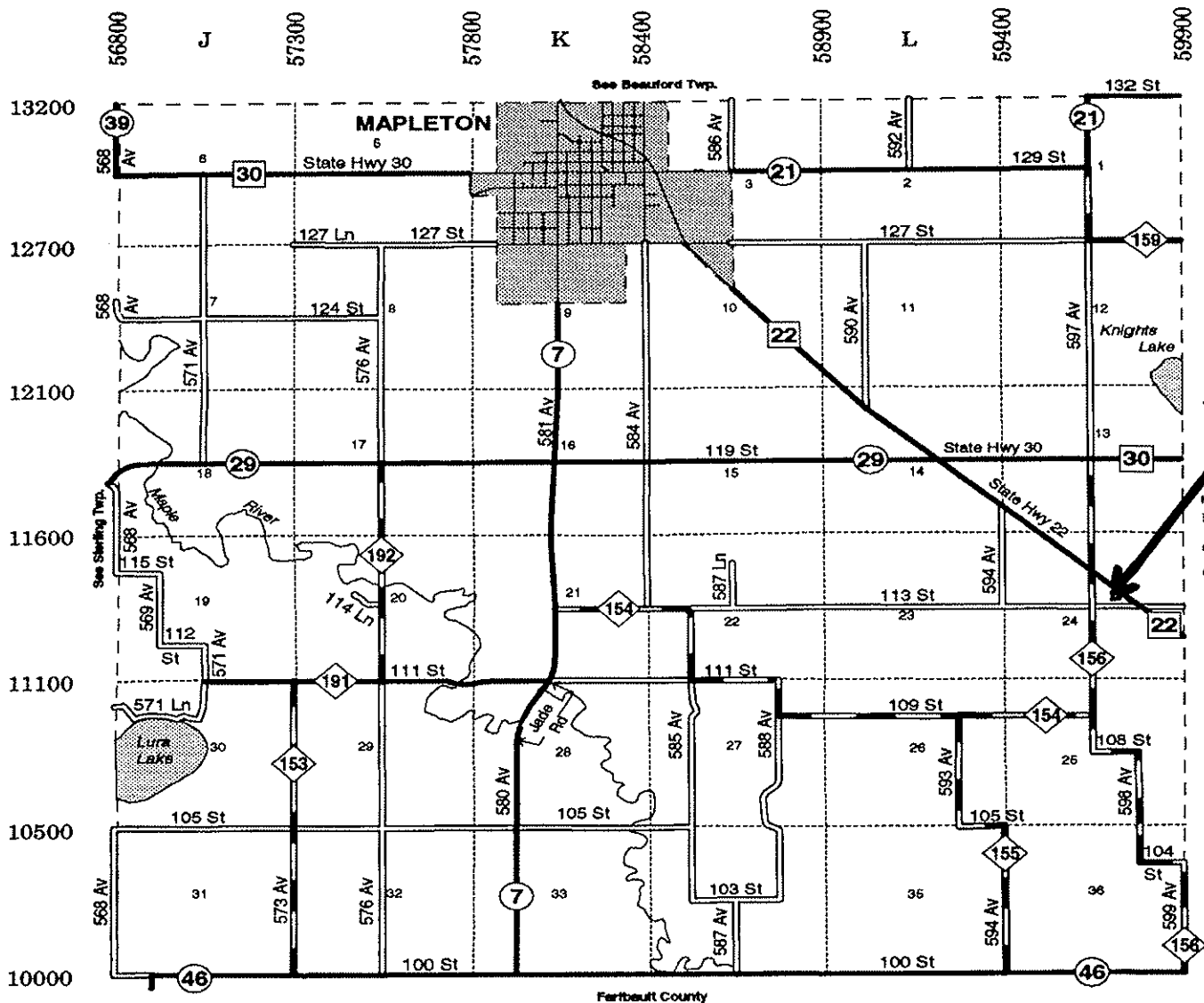
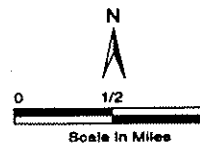
Attachments

- A-1 General Site Location
- A-2 Site Map
- A-3 Environmental Health Comments

Attachment A-1
General Location Map

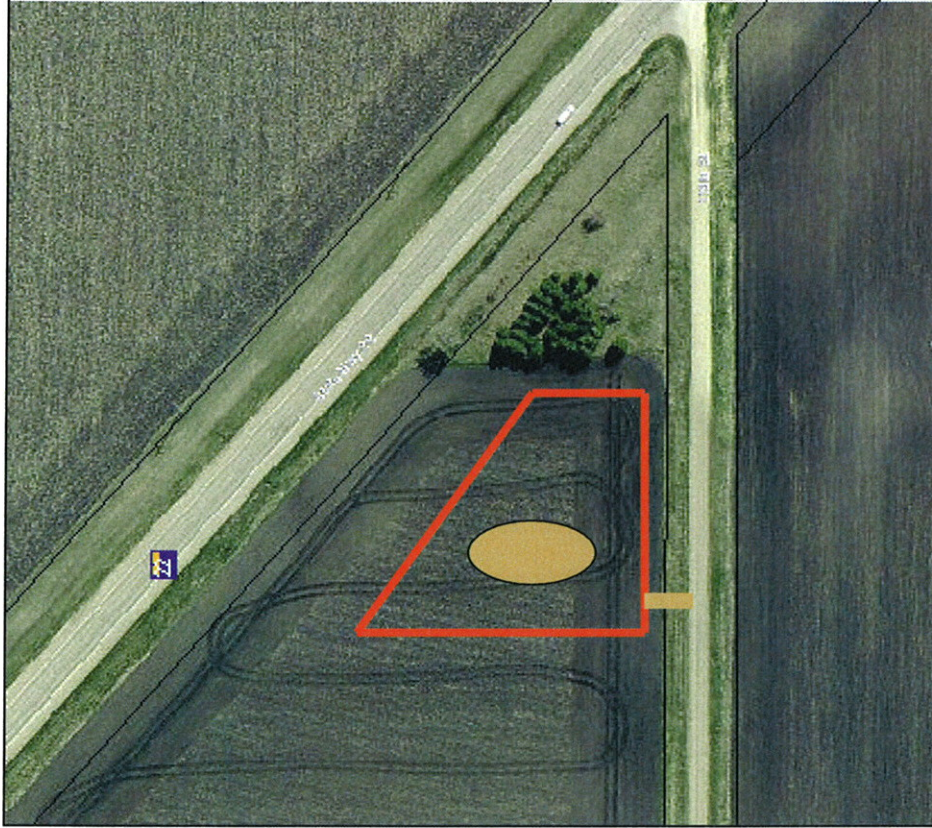
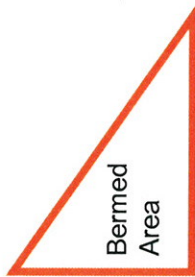
Mapleton

T 105 N - R 26 W



A-2

Cumming / Lime Land Industries Site



0 100 200 300 400 Feet

Disclaimer: This map was created using data from the South Carolina Department of Transportation (DOT) and is provided for informational purposes only. It is not intended to be used for any other purpose, and the user assumes all liability for the accuracy of the data displayed hereon, whether provided or compiled by South Carolina DOT or its employees.

**BLUE EARTH COUNTY
ENVIRONMENTAL SERVICES**

*Government Center, 410 South Fifth Street
P.O. Box 3566, Mankato, Minnesota 56002-3566
Phone: (507) 304-4381 Fax: (507) 304-4431*

Environmental Health Section - Planning Application Reviews

Date Printed: August 16, 2011 **Permit Number:** PL20110048
Property Owner: CUMMING REEVE **Applicant:** LIME LAND INDUSTRIES LLC
Parcel Number: R44.24.24.200.007 **File ID:** PC20-11

Application Description: Request for a conditional use permit to stockpile agricultural lime in an Agricultural Zoned District located in part of the SW 1/4 of the NE 1/4 of Section 24, Mapleton Township.

Septic Review

Status: Complete - Comments Received

Comments: This is an undeveloped parcel. No septic requirements for this permit. potterness 07/25/2011 1:51 PM

Well Review

Status: Complete - Comments Received

Comments: No old building site was identified to be located on this property. The proposal to temporarily store agricultural lime on this site does not appear to have any negative affect on any known wells. grant 07/25/2011 9:20 AM

Wetland Review

Status: Pending

Comments: Need to go through the wetland process for a wetland exemption. sfeser 08/05/2011 2:31 PM
