

WABASHA PLANNING COMMISSION

February 13, 2024 6:00 PM

MEETING AGENDA

- 1) Call to Order
- 2) Approval of Minutes-
 - a) January 9, 2024 Planning Commission Minutes
- 3) Changes or Additions to Agenda
- 4) Public Comment
- 5) Public Hearings
 - a) Ordinance Modifications
- 6) Old Business
 - a) Please see attached staff memo from Kristi Trisko.
- 7) New Business
- 8) Board of Adjustment Business
- 9) Other Business
- 10) Next Regular Meeting Date - March 12, 2024
- 11) Adjourn

Planning Commission

2) a)

Meeting Date: 02/13/2024

SUBJECT: January 9, 2024 Planning Commission Minutes

DEPARTMENT: Administration

TITLE:

January 9, 2024 Planning Commission Minutes

PURPOSE:

Attachments

Minutes 1-9-2024

DRAFT

WABASHA PLANNING COMMISSION

January 9, 2024 6:00 PM

MEETING MINUTES

Commission Members:

Tim Wallerich, Chair	Sara Carrels, Vice Chair
Scott Durand	Sharon Burke
Ozzie Goodman	Jeff Sulla
Richard Heffner	

Present: Scott Durand; Chair Tim Wallerich; Jeff Sulla; Ozzie Goodman

Absent: Sharon Burke; Sara Carrels; Richard Heffner

Also Present: Kristi Trisko, Contracted City Planner; Wendy Busch, City Clerk

1) Call to Order

The meeting was called to order by Chair Wallerich at 6:00 p.m. Commissioner Sulla attended the meeting remotely.

Chair Wallerich opened nominations for the position of Chairperson of the Planning Commission for 2024. Commissioner Durand nominated Commissioner Wallerich to continue to serve as Chairperson. The nomination was seconded by Commissioner Goodman. There were no other nominations.

Chair Wallerich opened nominations for the position of Vice Chairperson of the Planning Commission for 2024. Chair Wallerich nominated Commissioner Carrels to serve as Vice Chair. The nomination was seconded. There were no other nominations.

A roll call vote was conducted. Commissioner Wallerich was unanimously elected to serve as Chairperson for 2024, and Commissioner Carrels was unanimously elected to serve as Vice Chairperson for 2024.

2) Approval of Minutes-

a) November 14, 2023, Minutes

Motion made by Scott Durand, seconded by Ozzie Goodman to approve the meeting minutes as drafted. A roll call vote was conducted.

Vote: 4 - 0 Adopted - Unanimously

Other: Sara Carrels (ABSENT)

Sharon Burke (ABSENT)

Richard Heffner (ABSENT)

- 3) Changes or Additions to Agenda
City Clerk Busch requested moving up the discussion of Item 7a. There were no other changes or additions to the agenda.

- 4) Public Comment
There was no public comment relating to items not listed on the agenda.

- 5) Public Hearings

- a) Bean Field Small Mining IUP
This item was discussed following discussion of Item 7a.

City Planner Trisko provided background information and referenced the new small mining ordinance. She pointed out the location of the proposed small mining operation. She discussed the application process and reviewed a preliminary proposal. She referenced a site plan and discussed zoning, parking stalls, setbacks, mining hours, the timeline for the mine, equipment, access to the site, and truck traffic. She detailed the mining operation. She discussed gate access, security, and reclamation requirements. She referenced the ordinance standards. She reviewed the next steps in the process, including the drafting of a mining agreement. She discussed financial guarantees. She noted that past soil boring data have been requested. She discussed groundwater management and noted that no issues or impacts are anticipated relating to area wells. She stated that the City Engineer has recommended verifying the geology and the existing groundwater table. She further discussed the proposed hours of operation. She discussed the State permitting process. She discussed archaeological and ecological resource reviews of the area. She reviewed reclamation planning activities. She detailed the next steps in the application submission and approval process. The requirement to conduct a public hearing was discussed. The applicant further discussed the reclamation process.

Chair Wallerich stated that the City Council would need to approve hours of operation outside of those listed in the ordinance language, and the applicant provided additional information in this regard.

Chair Wallerich inquired regarding truck traffic, and the applicant provided clarification.

The public hearing requirement was clarified. Chair Wallerich reviewed the public hearing procedure and opened the public hearing at 6:31 p.m. No one spoke during the public hearing. Chair Wallerich closed the public hearing at 6:33 p.m. Chair Wallerich reported that a letter of support was received from a neighboring property owner.

City Planner Trisko indicated that she will continue to work with the applicant regarding the submission of additional application information, for review during the next Planning Commission

meeting.

Motion made by Chair Tim Wallerich, seconded by Scott Durand to table further discussion and action until the February Planning Commission meeting. A roll call vote was conducted.

Vote: 4 - 0 Adopted - Unanimously

Other: Sara Carrels (ABSENT)
Sharon Burke (ABSENT)
Richard Heffner (ABSENT)

6) Old Business

a) Ordinance Changes

City Planner Trisko referenced past discussion of ordinance changes. She reviewed the proposed ordinance language, including revised definitions of a primary front yard, a secondary front yard, and a corner lot. Commissioners asked how the primary front yard would be identified, and additional information was provided by City staff. Commissioners expressed agreement that the proposed ordinance language provides more clarity.

Commissioner Sulla requested clarification of language relating to commercial signage, and City staff provided additional information in this regard. Commissioners suggested language delineating who would pay for the signage, if approved. City Administrator Caroline Gregerson provided additional background information relating to the Athletic Complex. Ordinance language revisions were suggested.

Motion made by Scott Durand, seconded by Ozzie Goodman to schedule a public hearing during the February Planning Commission meeting for further discussion of the proposed ordinance changes. A roll call vote was conducted.

Vote: 4 - 0 Adopted - Unanimously

Other: Sara Carrels (ABSENT)
Sharon Burke (ABSENT)
Richard Heffner (ABSENT)

7) New Business

a) Eagles Basin PUD Concept Outlot B

This item was discussed following discussion of Item 4.

City Planner Trisko provided background information, referenced past discussion of the Eagles Basin PUD, and detailed the PUD approval process. She reviewed the concept plan for Outlot B, including plans for the development of 12 townhomes. She discussed setbacks and noted that the density calculation would be 6.6 units per acre. She discussed open space requirements and parking stalls. She reviewed the proposed height of the buildings. She noted that utility plans will be documented on the preliminary PUD. She discussed access and an emergency turnaround.

City Planner Trisko reported that the concept plan meets or exceeds all of the standards and requirements for a PUD. She stated that staff recommends moving forward with the next steps, which would include review of a preliminary PUD and plat. She reviewed comments by the City Engineer relating to a partial street vacation for access, alignment of utility lines, and stormwater

management.

Chair Wallerich asked about street lighting plans for the private drive. Mike Paradise, representing the applicant, stated that while there are no current plans for street lighting, there will be adequate lighting on the fronts of the buildings.

Motion made by Jeff Sulla, seconded by Ozzie Goodman to approve the concept plan as presented. A roll call vote was conducted.

Vote: 4 - 0 Adopted - Unanimously

Other: Sara Carrels (ABSENT)
Sharon Burke (ABSENT)
Richard Heffner (ABSENT)

- 8) Board of Adjustment Business
There was no Board of Adjustment business.
- 9) Other Business
There was no other business.
- 10) Next Regular Meeting Date - February 13, 2024
- 11) Adjourn

Motion made by Scott Durand, seconded by Jeff Sulla to adjourn the meeting. The meeting adjourned at 6:48 p.m.

Vote: 4 - 0 Adopted - Unanimously

Other: Richard Heffner (ABSENT)
Sara Carrels (ABSENT)
Sharon Burke (ABSENT)

Respectfully submitted by: _____
Wendy Busch, City Clerk

Adopted Date

Planning Commission

5) a)

Meeting Date: 02/13/2024

SUBJECT: Ordinance Modifications

DEPARTMENT: Administration

TITLE:

Ordinance Modifications

PURPOSE:

Please find the attached staff memo from Kristi Trisko, City Planner for the public hearing to review ordinance modifications.

Attachments

staff memo



Memorandum

Office of the City Planner

To: Wabasha Planning Commission
From: Kristi Trisko
Date: January 30, 2024
Subject: Miscellaneous Subdivision and Zoning Ordinance Updates and Public Hearing

MEETING DATE: February 13, 2024

The following Zoning Ordinance changes are attached:

1. 162.060 USE CHART. Adding camping standards
2. 162.061 USE DEFINITIONS.
 - a. Campgrounds
 - b. Frontage
 - c. Sight Visibility Triangle
 - d. Yard, corner lot
 - e. Yard, front
 - f. Yard, side
3. 161.43 PARKLAND DEDICATION.
4. 162.071 PUD PLANNED UNIT DEVELOPMENT.
5. 162.108 OFF-STREET PARKING REQUIREMENTS.
6. 153.29 SIGNS ON CITY PROPERTY.
7. 162.015 BUILDING SIGHT VISIBILITY.
8. 162.106 SOLAR STRUCTURES AND SOLAR GARDENS/FARMS.

Neighborhood Notification: A brief summary of these ordinance changes was published in the paper on Tuesday, January 30, 2024, stating that a public hearing would be held on February 13, 2024.

Planning Commission Action: After the hearing, if the Planning Commissioners believe that the amended ordinances are ready for final review, I recommend that the Commissioners forward the revised and new ordinances to City Council for their consideration.

Camping Standards: New text in RED

§ 162.060 USE CHART.

Use	RC	RRLA	RRGT	R-1
Campground	C	C	C	C

§ 162.061 USE DEFINITIONS.

CAMPGROUND. An open-air recreation area where temporary shelters are allowed and intended to provide transient occupancy and associated buildings and accessory structures and offices used in the operation of the facility. **The maximum campground density is 25 camping sites per acre and 15 recreational vehicles per acre.** * Please refer to Minnesota Administrative Rules 4630.0200 and the Minnesota Department of Health for additional recreational camping standards.

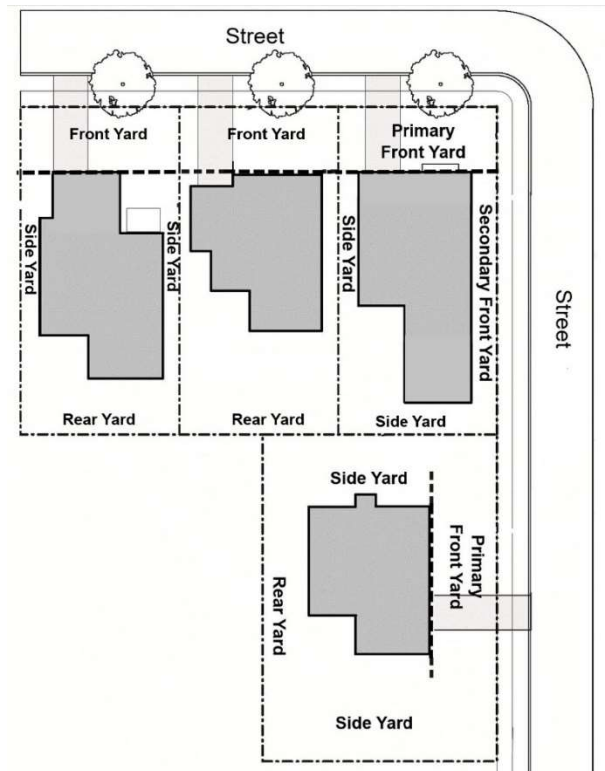
FRONTAGE. The smallest dimension of a lot, parcel or plot of land abutting a public street that is **accessible by a vehicle** measured along the street line.

SIGHT VISIBILITY TRIANGLE. A triangular shaped area of land abutting public or private streets that are required to be kept free of obstructions that could impede the vision of a pedestrian or the driver of a motor vehicle exiting or entering onto a public or private road.

YARD, CORNER LOT: A front yard of the required depth shall be provided in accordance with the prevailing yard pattern of the block as determined by city staff. The secondary front yard cannot build closer than existing structures within the block or 15 feet whichever is less.

YARD, FRONT. A yard extending the full width of the lot between the front lot line and the nearest part of the main building **which abuts a public or private street.**

YARD, SIDE. A yard extending from the front yard to the rear yard, being the minimum horizontal distance between a building and side lot line. **In corner yard lots, yards remaining after two front yards shall be considered side yards.**



Parkland Dedication: New text in RED

§ 161.43 PARKLAND DEDICATION.

(3) Is adjacent or readily accessible to an existing park, recreational facility, trail or open space facilities; the requirement of dedication of land imposed by division (B) above may be satisfied by a payment of cash by the subdivider to the city, or a suitable provision in a development agreement between the subdivider and the city governing the development of the land in question. The payment shall be made prior to the execution of the final plat by the appropriate city officials **at the rate of 500 dollars per new residential lot created in the subdivision. The City Council shall have the authority to make the final determination of the fee for purposes of park dedication and may elect to accept a combination of land dedication for park use and a cash payment.**

PUD's: New text in RED

§ 162.071 PUD PLANNED UNIT DEVELOPMENT.

(B) Scope.

(2) The PUD Overlay Zone shall only be considered when the proposed project property meets the following minimum size standards:

GC	No minimum
HC and I	10 acres
R-1 and R-2 Districts	2 acres

a. **Minimum lot area. A residential PUD parcel located in an R-1 or R-2 zoning district of less than two (2) acres may be approved if the applicant can demonstrate that a project of superior design can be achieved to meet one or more of the identified objectives listed in Section 162.071 A and is in compliance with the Comprehensive Plan goals and policies. The Planning Commission shall authorize submittal of a PUD for a parcel of less than two acres prior to submittal of a PUD Concept Plan application.**

(D)(3) Preliminary PUD plan. Following the concept plan review by the Planning Commission, the applicant may submit an application for a preliminary PUD and plat approval concurrently (if applicable), with all supporting data and documentation as referenced in the application. **If there is no construction of public right-of-way or significant construction within a public right-of-way and no construction of public utilities, the Final PUD Plan can be reviewed and approved concurrently with the Preliminary PUD Plan by the Planning Commission and City Council.**

(I) Phasing and guarantee of performance.

(5) **PUD's must be platted as a CIC Plat (Common Interest Community Plat) unless determined by the city, that no privately maintained common areas or private infrastructure is included in the PUD.**

Off-Street Parking: New text in RED

§ 162.108 OFF-STREET PARKING REQUIREMENTS.

(B) Parking spaces shall be a minimum of nine (9) by seventeen (17) feet in size for spaces arranged in a perpendicular lot layout or approved by the City Engineer for other layouts.

(G) Parking lots with more than 5 parking stalls shall be graded, drained, and have a dust free surface.

(H) There shall be no off-street parking space within five feet of any street right-of-way

(I) Required off-street parking space in any district shall not be utilized for the open storage of goods or for the storage of vehicles which are inoperable or for sale or rent.

(J) When a required off-street parking space for five cars or more is located adjacent to a residentially zoned lot, a six foot screened solid fence or ten foot wide landscape buffer approved by the zoning administrator shall be erected along the residential district property line.

Sign Code: New text in RED

§ 153.29 SIGNS ON CITY PROPERTY.

(A) Locations.

(1) Veterans Park and Heritage Park are traditional public forums on city property and, therefore, will be available for the placement of portable signage only, when the proposed signage meets the standards in division (B) below.

(B) Signage allowed.

(1) Along with permanent city park identification signage the city will allow portable temporary signage for civic, non-profit or charitable events, and non-commercial speech. Limited commercial speech signage will be allowed only at the City Athletic Field. All signage will be on a first come first serve basis.

(2) Location, type and design of signage allowed is dictated by the standards of the district for each property along with those requirements listed below in division (B)(4) below.

a. All temporary commercial speech signage at the City Athletic Field will be designed and subcontracted by the City of Wabasha at the expense of the applicant. Customized commercial logos and text can be incorporated into City approved temporary signs.

(4) Signage requirements.

a. The total number of signs on public property will not be limited to zoning district sign standards.

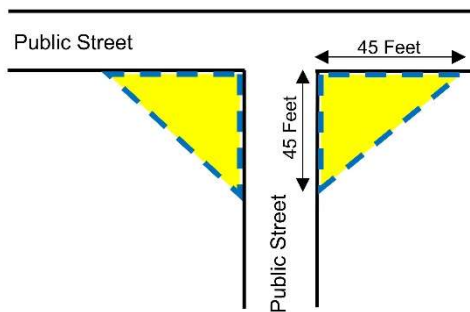
- b. Each sign must include a legible posting date.
- c. The sign and attaching material must be removed within 45 days of the posting date or if the sign is posted for an event no longer than ten days after the event. **Commercial signage at the Athletic Field will not be required to be removed within 45 days.**

Sight Visibility Triangles: New text in **RED**

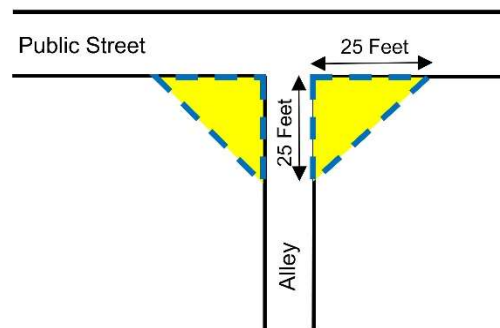
§ 162.015 BUILDING SIGHT VISIBILITY.

1. On all corner lots at street and alley intersections there shall be no fence, landscape wall, hedge, or building constructed higher than three feet, nor any obstruction to vision other than a post or column, approved sign, or tree not exceeding one (1) foot in diameter between a height of three (3) feet and eight (8) feet inside the sight visibility triangle area.
2. The sight visibility triangle is measured from the corner of pavement where two public or private streets meet.
3. A 45-foot sight visibility triangle is required at the intersection of all public streets.
4. A 25-foot sight visibility triangle is required between all alleys and public streets.
5. Sight visibility triangles are required in all zoning districts except TDC.

Public Street SVT Graphic



Public Street/ALLEY SVT Graphic



Solar Garden/Farms: New text in **RED**

§ 162.106 SOLAR STRUCTURES AND SOLAR GARDENS/FARMS.

- (A) (3) Solar structures, when not attached to a roof or building, must use sun-tracking or a similar sun-tracking features. Solar structures must be placed at the same elevation to each other **in the same row. A topographic exhibit showing the proposed solar array heights must be submitted for review. Additional section exhibits may be required to determine appropriate solar array heights adjacent to existing structures or properties.**

Planning Commission

6) a)

Meeting Date: 02/13/2024

SUBJECT: Bean Field Small Mining IUP

DEPARTMENT: Administration

TITLE:

Please see attached staff memo from Kristi Trisko.

PURPOSE:

Attachments

2-13 PC Bean Field Memo



Memorandum

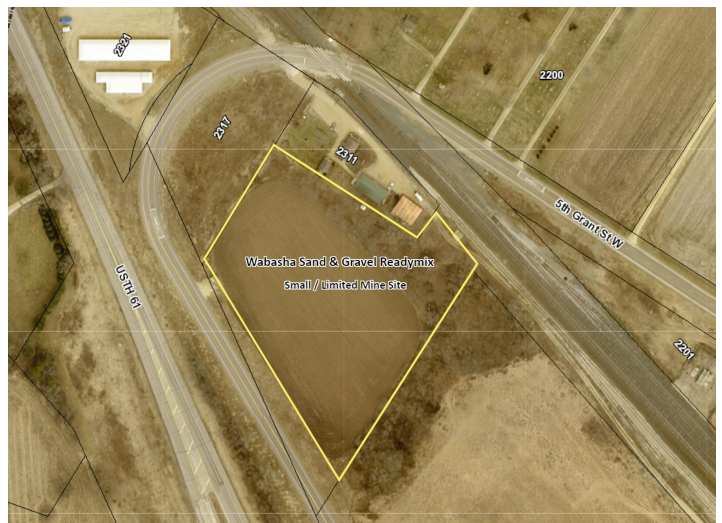
Office of the City Planner

To: Wabasha Planning Commission
From: Kristi Trisko, Consultant Planner
Date: February 7, 2024
Subject: Wabasha Sand and Gravel – Bean Field IUP

MEETING DATE: February 13, 2024

I. REQUEST:

Applicant: Wabasha Sand and Gravel ReadyMix
Owner: Wabasha Sand and Gravel ReadMix – Shawn Kohner
Location: 2324 5th Grand Boulevard West, R27.00011.00



II. Staff Report / Details of the Project

An application for a small/limited mine has been submitted by Wabasha Sand and Gravel Readymix to mine 3.63 acres of their 4.02 acres site. (See attached Site Map)

Zoning/Land Use: Industrial
Current Use: Agricultural
Final Use: Agricultural / Commercial / Industrial

Mine details:

Top Soil:	16,819 c.y.
Minerals:	97,302 c.y
Fill Materials:	210,304 c.y.

Employees: Three, with 3 parking stalls near 5th Grand Blvd

Mining Equipment: Excavation and transportation, 2 loaders, 2 excavators, 1 skidsteer loader
Transport: Less than 60 per day, (*mined and hauled only as materials are needed to Kohner's Plant*)

Traffic See route, 5th Grant along Army Corp property to Highway 61. –Moving less than 60 trucks per day. No MTG is needed.

Water Usage: None

Historic/Archeological Sites: None known

Access / Security: Posting “No Trespassing” signs, berming and posting and gate at entrance.

Mine Width/Size: 431.6' x 359.7' or 3.63 acres

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Mine Depth: 31 feet to Elevation 675.00. *(To mine below that level will require additional testing)*

Mine Depth Requested: 38 feet – from current elevation

Elevations:

Current Elevation: 706.00

Final Mine Elevation Request: 668.00 *(well data shows ground water fluctuating between 667.77 to 670.50)*

Proposed Reclaimed Elevation: 732.00 *(26' higher than current, matching the elevation to the east of the property at a 4:1 slope)*

Topsoil Berm: 8' tall by 31.5' wide

Hours: 7 am to 7 pm – Monday through Saturday

Lighting: None

Structures: None

Processing: None

Silt Fence: Perimeter of the mine

Access: 30' wide class IV aggregate driveway surface

Setbacks: 46.7 east side yard setback from property line to berm, approximately 50' to mine pit
12' north side yard
12' west side yard
15' south side yard (facing Army Corp Property)

Phases of Mining Operation

Phase 1: Silt fence, signage, topsoil removed to berm, driveway constructed.

Phase 2: Mining site of materials – 3 years total mining operation

Phase 3: Fill the mine pit

Phase 4: Topsoil replaced over pit area – 1-year total reclamation plan

III. Planning Comments: Review of 158.081-158.091

Purpose: Allow small / limited mines while minimizing soil erosion and land scaring while minimizing the impacts of these uses to the surrounding area.

Mined Material: Construction sand and gravel only (standards met), no stockpiling
Small / Limited: Less than 5 Acres (4.02-acre site, 3.63 acre sized mine, no processing on site, completed within 3 years.

Shoreland/Floodplain: None

Mining Agreement Needed: To be completed prior to Letter to Proceed

Financial Guarantee: Cash Escrow of for all mined acres: \$2,000.00, and performance bond, cash escrow or letter of credit for cost of 125% of the Reclamation Plan

158.084 Required Information:

- A, B, C: Contact information, legal, deed – *standards met*
- D & E: Land Use description and comprehensive plan (industrial) – *standards met*
- F: Soil Borings – three (3) minimum to determine soils and ground water. – No soil borings were obtained on this site. The existing USACE well (MW5) data was submitted to satisfy this requirement - *standards somewhat met*.
- ✓ The data provided from nearby well logs indicate with a low level of certainty that groundwater levels will be below the bottom of the proposed mine, and that the material to be mined is sand and gravel. To mitigate this concern, we recommend that the City allow the applicant to only extract materials to elevation 675. Mining below this elevation will require water table testing. See the proposed conditions below.
 - ✓ Details from the applicant on Well MW5 data:

The applicant provided the well data from the closest USACE well (MW5) as can be seen at the end of this memo. This well data provides a comparable water table (WT) elevation. The existing top of the casing elevation of the well was verified by Johnson Scofield and report it as 710.05. In checking with the USACE we've confirmed also that the well casing was never adjusted or changed in any way since it's installation.

From the attached monitoring report, looking at well MW5, the highest reading for water level was at 39.55 and the lowest at 42.28 measured from top of casing. Subtracting those measure downs from the top of casing gives WT elevations of 670.5 and 667.77 for high and low respectively. The monitoring well records show a WT fluctuation of 2.73 feet during the 9-month monitoring period.

The operations plan for this small mining project shows material removal to elevation 668 or 2.5 feet below the highest WT elevation and just 0.23 feet above the lowest WT elevation.
- G: Wetlands – surface water, none – standards met
- H: Description/location of wells (see Appendix P) – standards met
- I: Groundwater management: Wells – The nearest wells are 127872 (101' in depth) located across Highway 61 from the site, and 408764 (two wells (107' in depth) located just west of the nearest well – standards met, if the water table is carefully review at Elevation 675 as recommended. The applicant has stated that "No mining below the water table is proposed at this time."
- J: Depth, quantity, quality, and uses of mining. Mining for construction sand and gravel. – standards met. See mining details above.
- K: Existing conditions exhibit(s) – standards met, blue stakes must be called prior letter to proceed. See attached conditions.
- L: Reclamation Plan contours – standards met
- M: Phasing – standards met. See mine details
- N: MPCA permit – will be provided prior to letter to proceed – standards will be met.
- O: Site hydrology – standards met
- P: Impacts to adjacent properties– standards met
- Q: Potential Impacts in mining – standards met

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- R: Site screening – Topsoil removal and storage: Topsoil removed and placed into a berm between the mine site and eastern property lines. No landscaping or security fencing is proposed. A gate will be put in place at the entrance. – standards met
- S: How complaints will be managed - standards met
- T: Hours of operation requested - standards met
- U: EAW, not necessary – standards met

Archaeological, history, and Cultural (SHPO finding) – staff summary of finding:

- ✓ **The property is not listed as a Local historic site. No Effect** – When an undertaking has no effect of any kind (either harmful or beneficial) on historic properties. Due to the site location and its distance of (0.35 – 1 mile) from other identified archaeological site, the SHPO office will be contacted immediately if the work on the listed property encountered any evidence to the contrary.

- **MnDNR – Ecological and Water Resources** – timber rattlesnakes and rusty-patched bumble bee – how to manage - standards met
- No wetlands on-site to mitigate – standards met

W: Reclamation Plan: final grade of proposed site in 2' contours - standards met

- Description of future use: Agricultural / Commercial / Industrial - standards met
- No future structures for end plan - standards met
- Material to reclaim the site and placement of materials - standards met
- Re-Seeding - standards met
- Cost estimate of reclamation of site - standards met

IV. Neighborhood Notification:

All property owners within 350' feet of this property were notified more than ten days prior to the public hearing and published in the paper on Tuesday, December 26, 2023, stating that a public hearing would be held on January 9, 2024 for this interim use permit request. No residents came forward to speak at the hearing or provide comment via email or phone.

V. Staff Recommendation:

Staff recommends approval of the Wabasha Sand and Gravel ReadyMix IUP with the following conditions.

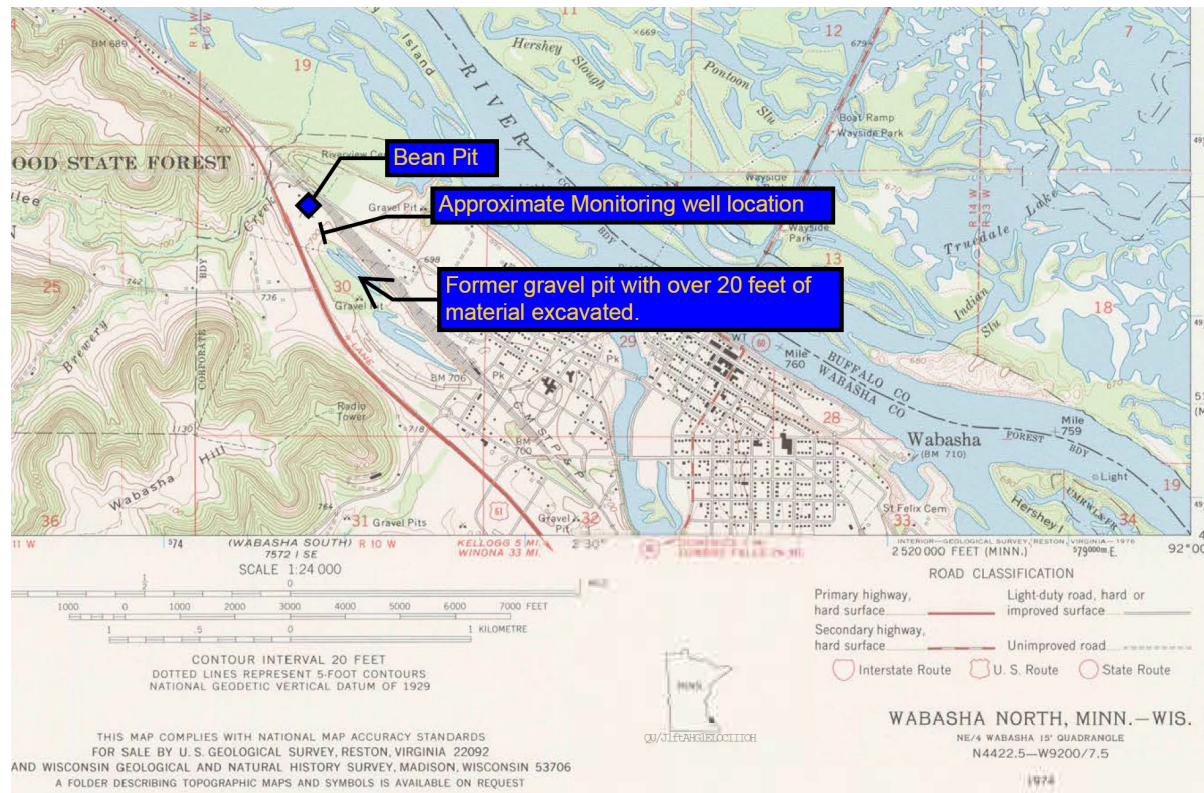
VI. Conditions:

1. Provide all required permits including the submittal of a site-specific Pollution Prevention Plan and MPCA permit prior to Phase 1.
2. No mining shall be below 675 as noted in the narrative and site plan without additional testing to determine the water table level.
3. Applicant shall notify the city when each phase is starting and ending.
4. City staff can access the site during operational hours to inspect the mine.
5. A cash escrow of \$6000.00 is required per 3.56 acres of mine

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6. A financial guarantee shall be required equal to 125% of the reclamation costs as provided in the narrative.
7. If it is determined that dewatering is needed, all mining will be stopped until a Dewatering plan is submitted and approved.
8. A Mining Operations Agreement must be signed by the applicant prior to the notice to proceed.

USACE – Well Location Exhibit





Bean Pit Nonmetallic Mining Reclamation Plan

Location: Part of the E 1/2 of the NW ¼
Sec 30, T111N, R10W, City of Wabasha
Wabasha County, Minnesota

Owner & Proposer: **Shawn Kohner**



Prepared by:
Johnson & Scofield, Inc.
1203 Main Street
Red Wing, MN 55066

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SITE INFORMATION

Description of Operation

Responsible Person: The Owner is the responsible person with legal and operational responsibility for this proposed mining pit and its' operation and long-term maintenance. Owner contact information is:

Mr. Shawn Kohner
4980 W. 6th Street Winona, Mn 55987
Phone (507)454-5093

Location: The Owner proposes to open a mining area to extract nonmetallic mineral aggregates. The proposed pit location is in the Northeast Quarter of Section 30, Township 111 North, Range 10 West, Wabasha County, Minnesota, which lies northeasterly of the centerline of the paved County Road 5th Grant Blvd., and westerly of the centerline of the Soo Line Railroad in the City of Wabasha, Wabasha County, Minnesota. Specifically, the area is in WABASHA County Parcel # R27.00011.0. This parcel is currently zoned "I – Industrial". The other contiguous parcels are currently zoned as "Commercial Land and Buildings" to the northeast, and "Federal Property" to the southeast (See attached Appendix "N"). See also Appendix "K" for contiguous property owner set back waivers. The total site area is 4.02 acres. The area to be mined is approximately 3.63 acres (See attached Appendix "A" for legal description and boundary survey of subject parcel).

Historical and Archeological Sites: There are no known Historical, Cultural, and Archeological features within one quarter mile of the proposed mining facility. See report in Appendix "O".

Land Use Description within one-half mile: The subject property is currently used to grow crops. There are six households to the west and southwest of the mining site. The area to the southeast of the property is used for USACE dredge material. Adjacent to the northerly property line is the business 5th Grants Boutique. The owner has granted a setback waiver. Also, in the area north of the site is a cemetery, and Blue North Self Storage. Most of the land in the area is used for crops. There is Hardwood Forest to the northwest. The Mississippi river and wetlands are to the northeast. According to the Wabasha Comprehensive Plan Land Use map The land west of Highway 61 is low density residential, north of the property is institutional and cemetery, east of the property is low density residential and vacant, lastly the land south of the site is government. There is no foreseen impacts on any properties in the area of the proposed mine.

Site's Natural Description: The site is flat existing crop field, that surface drains easterly. Where crops have not been planted there are stands of trees along the south and east side of the property. Soils in the area are Tell Silt loam with a typical profile of an upper 12" of silt loam. At depths of 12" to 36" the profile goes from a silty clay loam to a very fine sandy loam. Below 36" is the fine sand that will be extracted during the mining process. Near the southerly boundary there is a monitoring well. According to the well test logs the ground water level fluctuates from 667.77 to 670.50.

Surface Water Description: Surface water from the site drain to the east. North of the property Brewery Creek crosses Highway 61 and flows east to the Mississippi River. Wetlands can be found along Brewery Creek and the Mississippi River.

Private Wells and Septic Systems: There are no known private septic systems on or adjacent to the property. There is a USACE monitoring well just south of the proposed mine. No other known wells exist on or adjacent to the subject property.

Groundwater Management: There is no intent to mine below the water table. Once the mining gets down to an elevation of 675 feet, testing will take place to verify the water table elevation so that no mining takes place below the water table.

Estimated Time of Operation: This Mining operation could last as long as 3 years. The general hours of

operation are estimated to be from 7 a.m. to 7 p.m. Monday through Friday, and may be open on Saturday from 7 a.m. to 7 p.m.

List of Equipment: This Mining operation will use traditional equipment for the excavation and transportation of nonmetallic mineral aggregate during daylight hours, therefore no artificial lighting equipment will be used. There will be an aggregate entrance and parking area for a three-person pit crew. See Appendix "B" for the list of planned operation equipment.

Explosives: This Mining operation will use no explosives. No explosives will be stored on site.

List of Chemicals: There are no plans to use any chemicals for dust suppression or mining purposes on this site.

Traffic and Weight Enforcement: All mined material will leave the site and be processed at the existing Wabasha Sand and Gravel site approximately one mile south of the proposed pit. No stockpiling will be on site. There will be less than 60 heavy trucks a day, so no major traffic will be generated. The site will have access to U.S. Highway 61 from 5th Grant Blvd. 5th Grant Blvd. W. Street is a bituminous paved road, and Hwy 61 has no spring weight restrictions (See attached Appendix "M"). The pit will use 5th Grant Blvd for its access, therefore, the boutique business to the northeast of the subject property should not be affected by the additional traffic load created for hauling the mineral products.

Source and Disposition of Water: No water use is planned at this site, except for dust control purposes. Water will be hauled in and sprayed upon ground surfaces as needed. All material washing activities will take place at the existing Wabasha Sand and Gravel site located at 1005 Shields Ave. A brief description of the washing process follows here. Raw mined material is dumped into a feed grisly and conveyed to the wash plant. Within the wash plant are vibrating grates causing separation into size groupings after removing most of the 200 (opening/inch) minus fines. Using sieves, jigs and shakers, various products are produced. These products are then used to create the gradation mixes required by the Owners customers.

Topographic Map: Maps showing the existing site conditions and the projected conditions before and after reclamation activities are complete can be found in Appendix "E", "F", & "G" of this plan identified as Existing Conditions, Proposed Operations, and Reclamation Topographic maps.

Operation Phasing: The proposed mining operation will be done in four phases.

Phase One: Silt fence and signage will be placed around the site. After the silt fence is in place the topsoil will be striped and bermed along the northeasterly edge of the property. A class V aggregate base will then be placed near the entrance for three employees to park. The mine will operate during daylight hours; therefore no lighting is planned.

All available topsoil will be removed and placed into berms. These berms will be constructed in a 30-foot corridor area lying between the pit site and the property lines. No grading will take place during this topsoil removal that would create slopes that could contribute to erosion and sediment runoff to surrounding surface waters.

All the topsoil on this site is classified as silt loam. See Appendix "C" for a detailed soils report of this site.

The Owner gives assurance that 12 to 18 inches of topsoil will be salvaged and/or substituted and stored for final site reclamation. The post-mining land use will continue to be agricultural, and it is assumed that man-made structures will not be added to this site at some future time.

Phase Two will be excavation to extract minerals. No structures or storage tanks for fuel and chemicals will be installed or maintained on the property. All equipment fueling and maintenance will be delivered via service trucks. No stockpiling or processing will take place on site. All excavated minerals will be placed in dump trucks and hauled south on highway 61 to the existing Kohner materials site at Shields Ave and highway 61. The site is expected to generate less than 60 trips a day.

Within the pit, mineral aggregates will be removed to a depth of approximately 36 feet. The lowest elevation of the proposed pit is 668'. The pit may not go as deep as planned. No mining below the water table is currently proposed. The final width of the mine will be approximately 440' x 330'. In order to extract minerals from the north slope, the top soil berm will be removed and transported temporarily to the Kohner

Materials plant at highway 61 and Shields Ave. This will be the final phase of material extraction before reclamation steps begin.

Estimated Resource Volumes: Top Soil – 16,819 c.y.

Minerals – 97,302 c.y.

Dredge Material for Reclamation – 210,304 c.y.

Phase Three will start the reclamation of the pit. Once all minerals have been extracted, dredge material will be imported from the USACE dredging operations on the Mississippi River. A swale will be built and maintained on the easterly side of the pit to capture stormwater runoff. After approximately 210,304 cubic yards of material have been imported to the site and mounded to match the existing dredge material on the government property to the south, phase four will begin. In the event that the City's agreement with USACE does not move forward, and no dredge material is available for import, then soil will be imported to fill the pit to an elevation of 706 feet.

Phase Four Topsoil will be placed over the imported dredge material and native seeding will be planted. If the dredge material is not available, the topsoil will be placed over the 3:1 slopes and then seeded. After final stabilization has occurred the silt fence will be taken down. This phase shall be complete one year from the start of Phase three.

Monitoring of the Mine: The Owner will be responsible for the overall operation and management of the mine. This includes minimization of mining waste and management of mining waste disposal (primarily stripping waste material that will be used for final slope construction). All safety and security measures will be within accordance with the MSHA Non-metallic Surface Mining Rules and Regulations.

It also includes disposal of wastes that are not mining wastes (temporary structures, equipment refuse, miscellaneous and temporary debris storage, etc.). Non-mining waste will not be allowed to accumulate in significant quantities within the mine. These will be disposed of in accordance with local, state, and federal laws through proper use of demolition landfills and recycling facilities. Equipment or materials that are unrelated to the mining operation (i.e.: junkyard collection) will not be allowed to be stored on this mining site.

Any waste materials stored on the mining site will be Non-Toxic. Safety of these areas will be addressed primarily by creating stable 3:1 or flatter slopes when the storage areas are made. All entrances to the mine will be posted to warn of "NO TRESPASSING" by non-employees to discourage any public access.

Groundwater quality is always a concern. The primary threat to water quality at this mining operation will be leakage or spillage of diesel fuel, hydraulic, motor, and other oils, anti-freeze, and other equipment operational fluids. To minimize this type of contamination, the Owner will centralize the servicing and fueling of all mobile equipment away from this site at the existing Wabasha Sand and Gravel site mentioned above. Only emergency fuels and oils will be brought on-site by mobile transport trucks.

Surface water runoff quality will not be a major issue or concern because all surface runoffs will be contained within the mining site area. Any erosion that occurs will be negated by the continuing mining operation. Any siltation or runoff deposition will be captured through the mining and material sorting process. Any erosion or sedimentation that does occur will take place below the existing ground surface elevation and will therefore have no possible way to flow into and contaminate existing surface waters in the surrounding area. Measures already described in this narrative are meant to mitigate the very low probability of any impact to nearby wells and adjacent properties. See Map in Appendix "P".

Biological Resources, Plants and Wildlife: The present use of this site is agricultural. The very small amount of tree and shrub excavation will be done pursuant to City of Wabasha Ordinance, excavated, transported off-site for reuse and piled on-site for future burning. This site contains no protected or special plant communities or wildlife species. This statement is made from the Owners personal knowledge of the site and from an Endangered Resources Review Request report from a Natural

Heritage Information System (NHIS) data request made to the Minnesota DNR (see Appendix “D”). The known biological resources present on this site are rattlesnakes and bumble bees. Our plan to mitigate rattlesnakes during operations on the site is through the MNDNR recommended "Call a Rattlesnake Wrangler" program. A subsequent plan to mitigate the risk to the bumble bees will include avoiding striping operations during the nesting season and the safeguard of any fringe areas from unnecessary.

POST- MINING LAND USE

The existing zoning for this site is Industrial, with an agricultural use. It is assumed that the post-mining land use will continue to be Agricultural. This will likely result in continued crop production, but future use could see man-made structures such as buildings, fences, and associated infrastructure. Examples of future potential uses such as tree farming, plant nurseries and sales, or agricultural operations, are just a few possibilities. It is possible for a use change based upon current Industrial or new zoning.

RECLAMATION MEASURES

This site will be excavated to a depth approximately 36 feet below the existing ground level. Once mining operations have finished USACE dredge material will be imported. The height of the fill will be approximately 26 feet above the existing ground level and will match the existing USACE dredge material elevations to the east of the property. All slopes around the fill area of this site will be constructed to 4:1 (4-feet Horizontal to 1-foot Vertical). This final slope is not deemed to be potentially hazardous.

4:1 final slopes will be constructed along the entire proposed mound perimeters. Exposed areas of the mine will be covered with approximately 18 inches of salvaged or substitute topsoil to support re-vegetation over the dredge material. A temporary cover crop of oats or rye will be planted to produce quick germination and site stabilization until the permanent seed mixture begins to grow. (See Appendix “J”).

PROJECTED COST OF RECLAMATION

The costs for reclamation will consist of final site grading to produce 3:1 and other proposed slopes as shown on the Post-Reclamation Topographic map, the retrieval and spreading of overburden and topsoil on all exposed areas, and the planting of the nurse crop and required seed mixture as specified by the City of Wabasha. Costs will also include maintenance until site stabilization. With lengthy 3:1 slopes prevalent at this site; washouts will likely occur from significant rain events necessitating some minor re-spreading and or replacement of topsoil followed by re-planting. To hasten site stabilization, erosion control blankets may be installed in some of the more challenging areas of the site. The Owner will strive to find a balance between using this more expensive remedy and performing repeated repairs in the more problematic areas of the pit.

Estimate of Reclamation Costs (In 2021 dollars):

• Dozer and grading operations:	40 Hours @ \$150/hr.	\$6,000
• Topsoil Placement:	40 Hours @ \$500/hr.	\$20,000
• Landscaping	Lump Sum @	\$10,000
• Repairs and Maintenance	Lump Sum @	\$15,000
TOTAL ESTIMATED RECLAMATION COST		<hr/> \$51,000

CRITERIA OF RECLAMATION PLAN

The criteria for assessing when reclamation is complete and, therefore, when the financial assurance can be released shall be based upon the following quantifiable criteria:

- 1.) No slopes shall remain on the reclamation site that are greater than 3:1 which is equivalent to a slope angle of approximately 18.5 degrees. This can be easily field verified by use of transits or clinometers or by use of a fabricated template with a level attached to the horizontal arm.
- 2.) Re-vegetation and stabilization success shall be identified by comparison to control plots established either earlier in the same year or in previous years on areas that are relatively flat (less than 2% slope) and have standing vegetation of at least 6 inches in height. Re-vegetation shall be considered successful when vegetative cover density on the entire site is approximately 85% of the control plot density.
- 3.) Successful establishment of tree growth shall be recognized when, after 6 months from planting, 95% of planted trees are still in good health, showing no signs of distress (such as wilting or discoloration), and are properly supported.

CERTIFICATION OF RECLAMATION PLAN

Certification of this Reclamation Plan shall be accomplished in accordance with Wabasha City Chapter 158 Mineral and Extraction Activities.

The Owner (or his designee) shall submit to The City of Wabasha a request for inspection when reclamation work has been completed.

Appendix E

**MAP A
Pre-Development Map
(Existing Conditions)**

BEAN FIELD SITE

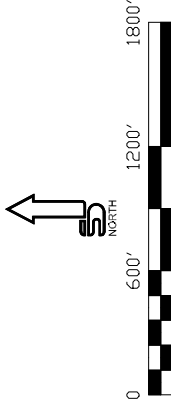
- PID: R27.00071.00
- CURRENT ZONING DISTRICT: I-INDUSTRIAL
- CURRENT ZONING OVERLAY DISTRICT: N/A
- A WETLAND STUDY WAS PERFORMED ON THIS SITE. NO WETLANDS WERE FOUND

1/2 MILE RADIUS FROM CENTER OF PIT


LEGEND

These standard symbols will be found in this plan set.

- DENOTES EXISTING PROPERTY LINE BASED ON GIS MAP
- DENOTES DELINEATED WETLAND BOUNDARIES
- DENOTES EXISTING INDEX CONTOUR
- DENOTES EXISTING CONTOUR
- DENOTES EXISTING WELL FROM MINNESOTA WELL INDEX
- [Symbol] DENOTES PROPOSED FUTURE MINING AREA
- [Symbol] DENOTES PROPOSED VEGETATED SCREENING AND BERM
- [Symbol] DENOTES PROPOSED AGGREGATE ENTRANCE AND EMPLOYEE PARKING AREA
- [Symbol] DENOTES EXISTING BUILDING



DESIGNED DRAWN CHECKED		BY DATE		LATEST REVISION: 2/05/2024 KOHNER MATERIALS 1000 SHAWAN BLVD 4240 5TH STREET WINONA, MN 55987 PHONE: (507) 454-5093		SITE OVERVIEW	
AP & SPV JP						WABASHA, MINNESOTA	
SPV						SHEET 1 OF 8 SHEETS	

**JOHNSON & SCOFIELD INC.**
Surveying & Engineering

1203 Main Street
P.O. Box 1008
Winona, MN 55987
Phone: (507) 454-5093

BEAN FIELD SITE

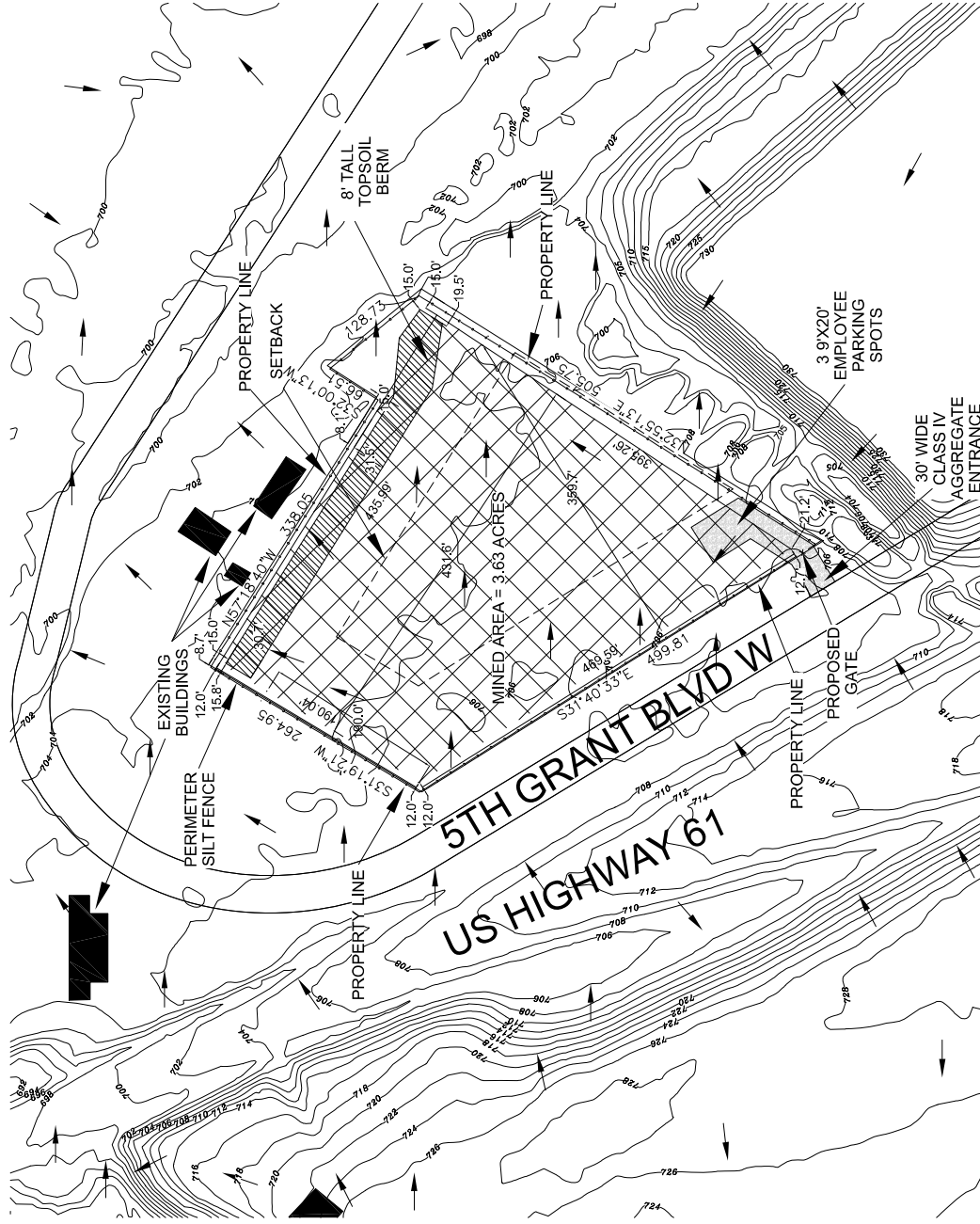
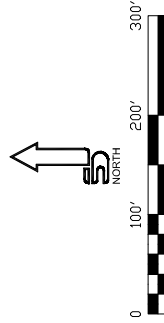
- PID: R27.00011.00
- CURRENT ZONING DISTRICT: I-INDUSTRIAL
- CURRENT ZONING OVERLAY DISTRICT: N/A
- NO STRUCTURES SHALL BE PLACED ON THIS SITE
- NO MINED MATERIALS SHALL BE STORED OR PROCESSED ON THIS SITE.
- NO EXPLOSIVES SHALL BE USED OR STORED ON THIS SITE.
- ANY MINING BELOW AN ELEVATION 675' WILL REQUIRE ADDITIONAL WATER TABLE EVALUATION.
- SITE ELEVATIONS:

CURRENT SITE ELEVATION = 706.00
PROPOSED MINING DEPTH ELEVATION = 668.00
PROPOSED RECLAMATION ELEVATION = 732.00

LEGEND

These standard symbols will be found in this plan set.

- DENOTES EXISTING PROPERTY LINE BASED ON GIS MAP
- - - DENOTES SETBACK
- - - DENOTES PERIMETER SILT FENCE
- ▨ DENOTES PROPOSED MINING AREA
- ▨ DENOTES PROPOSED VEGETATED SCREENING AND BERM
- ▨ DENOTES PROPOSED AGGREGATE ENTRANCE AND EMPLOYEE PARKING AREA
- DENOTES EXISTING SURFACE FLOW DIRECTION

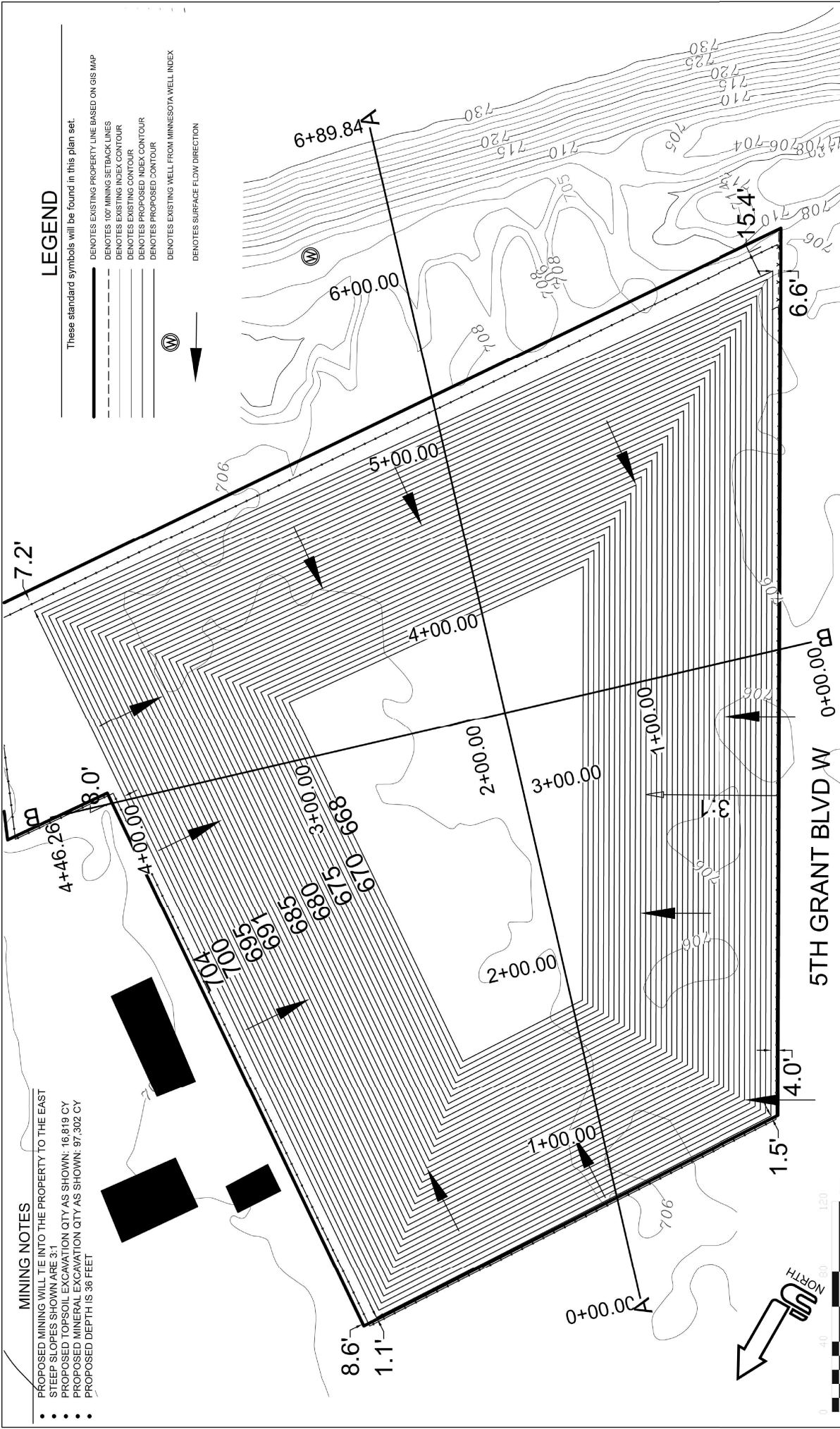


FILE PATH: S:\STR\KORNER 2020 MINING PERMITS

JOHNSON & SCORFIELD INC. Surveying & Engineering 1037 Oak Street, Suite 200, Wabasha, MN 56091 PH: 656.286.1155 FAX: 656.286.1159	DESIGNED: JSP & SPV DRAWN: JSP CHECKED: SPV	REVISION	BY	DATE	LATEST REVISION: 2/06/2024 KORNER MATERIALS C/O SHAWN KORNER 4850 W 6TH STREET WABASHA, MN 56091 PHONE: (656) 454-5993	SITE PLAN
		WABASHA, MINNESOTA				SHEET 4 OF 8 SHEETS

Appendix F

Map B Proposed Operations Map



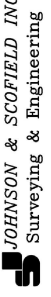
MINING NOTES

- PROPOSED MINING WILL TIE INTO THE PROPERTY TO THE EAST
- STEEP SLOPES SHOWN ARE 3:1
- PROPOSED TOPSOIL EXCAVATION QTY AS SHOWN: 16,819 CY
- PROPOSED MINERAL EXCAVATION QTY AS SHOWN: 97,302 CY
- PROPOSED DEPTH IS 36 FEET

LEGEND

These standard symbols will be found in this plan set.

- DENOTES EXISTING PROPERTY LINE BASED ON GIS MAP
- DENOTES 100' MINING SETBACK LINES
- DENOTES EXISTING INDEX CONTOUR
- DENOTES EXISTING CONTOUR
- DENOTES PROPOSED INDEX CONTOUR
- DENOTES PROPOSED CONTOUR
- DENOTES EXISTING WELL FROM MINNESOTA WELL INDEX
- DENOTES SURFACE FLOW DIRECTION

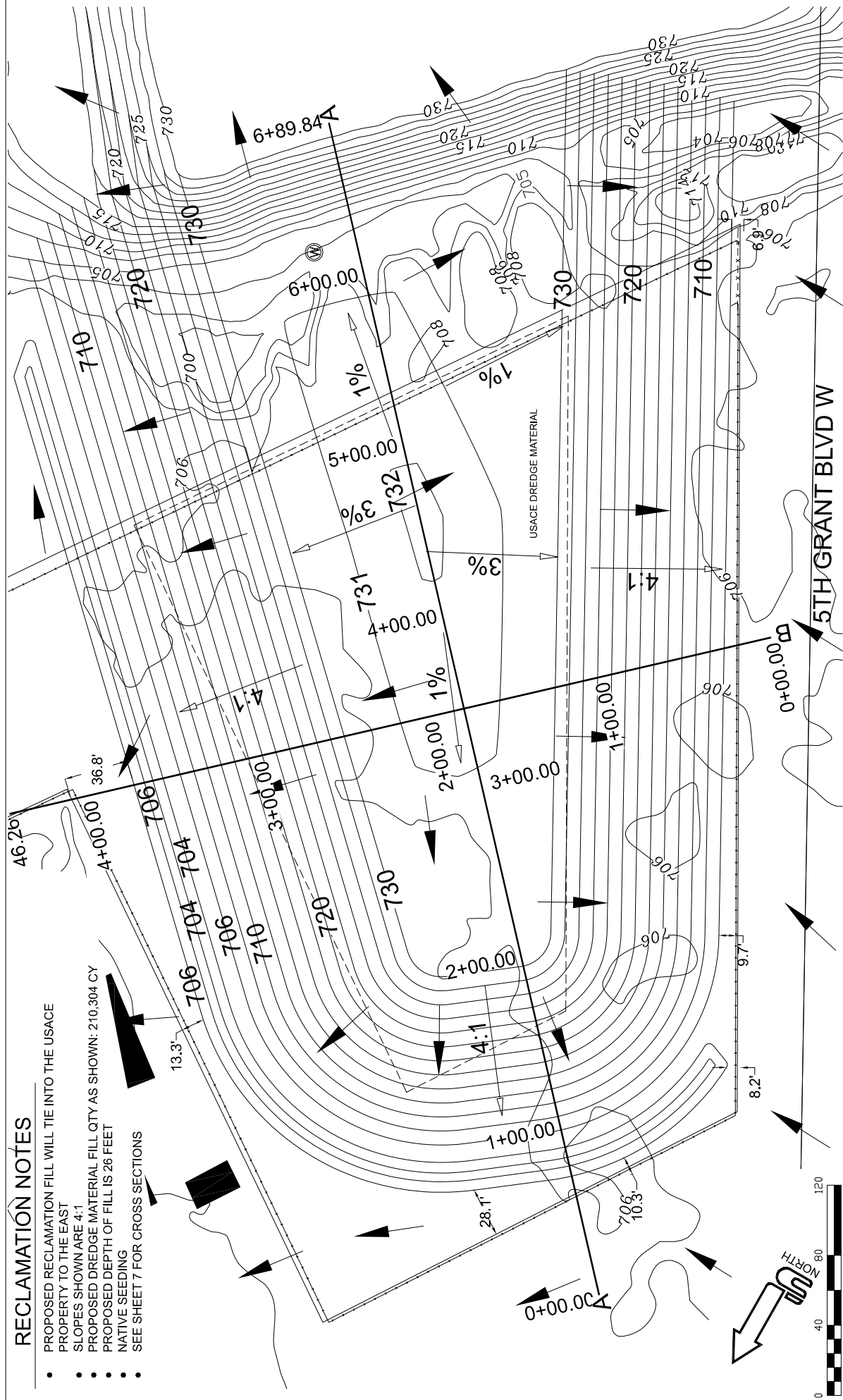
 JOHNSON & SCORSFIELD INC. Surveying & Engineering 1001 Main Street, Suite 100, Wabasha, MN 56091 P.O. Box 100, Wabasha, MN 56091 Phone: (507) 554-5933 Fax: (507) 554-5933	DESIGNED: J.S. & S.V. DRAWN: J.S. CHECKED: S.V.	REVISION: <table border="1"><tr><th>BY</th><th>DATE</th></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></table>	BY	DATE									LATEST REVISION: 2/06/2024 KORNER MATERIALS C/O SHAWN KORNER 4450 W. 5TH STREET WABASHA, MN 56091 PHONE: (507) 554-5933
	BY	DATE											
WABASHA, MINNESOTA		OPERATIONS PLAN											
SHEET 5 OF 8 SHEETS		SHEET 5 OF 8 SHEETS											

Appendix G

**Map C
Post-Development Map
(Reclamation Plan)**

RECLAMATION NOTES

- PROPOSED RECLAMATION FILL WILL TIE INTO THE USACE PROPERTY TO THE EAST
- SLOPES SHOWN ARE 4:1
- PROPOSED DREDGE MATERIAL FILL QTY AS SHOWN: 210,304 CY
- PROPOSED DEPTH OF FILL IS 26 FEET
- NATIVE SEEDING
- SEE SHEET 7 FOR CROSS SECTIONS



FILE PATH S:\STRYKNER 2020 MINING PERMITS

DESIGNED BY: J.P. & S.P.
 DRAWN BY: J.P.
 CHECKED BY: S.P.
 LATEST REVISION: 2/06/2024
 KERNER MATERIALS
 C/O SHAWN KERNER
 4850 W 6TH STREET
 WABASHA, MN 55783
 PHONE: (507) 454-5993

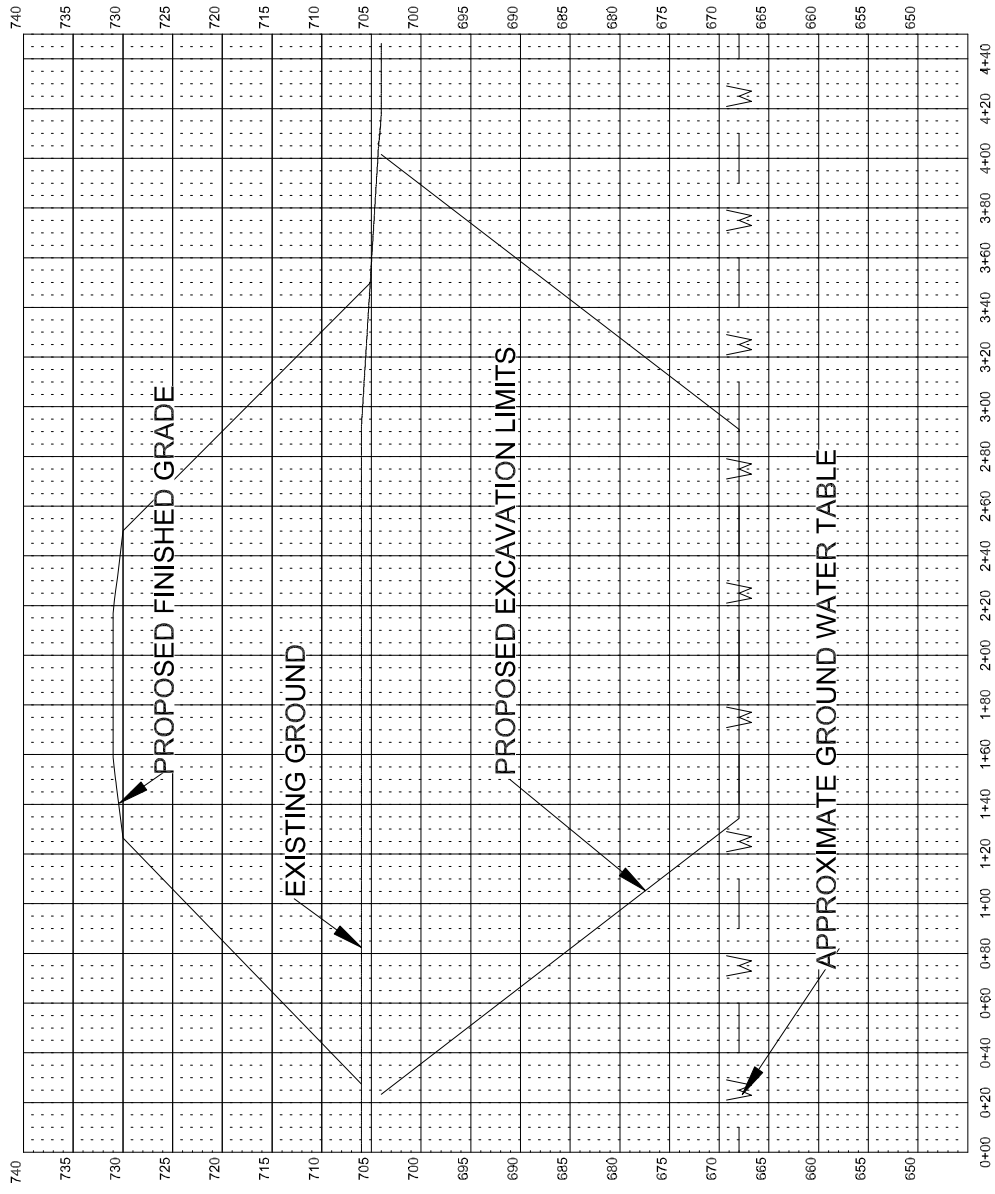
JOHNSON & SCORFIELD INC.
 Surveying & Engineering
 1001 Main Street, Room 200, Wabasha, MN 55783
 PH: 507.266.1155 FAX: 507.266.0199

RECLAMATION PLAN

WABASHA, MINNESOTA


SHEET 6 OF 8 SHEETS





CROSS SECTION B-B

FILE PATH S:\STRAVONER 2020 MINING PERMITS

<div><div>JOHNSON & SCOFIELD INC. Surveying & Engineering</div><div>1037 Main Street, Suite 200, Wabasha, MN 56091 PH: 507.395.1155 FAX: 507.395.1159</div></div>	DESIGNED <u>JP & SPV</u> DRAWN <u>JP</u> CHECKED <u>SPV</u>	REVISED	BY	DATE	LATEST REVISION: 2/05/2024 Prepared For: MINING MATERIALS C/O SHAWN KOHNER 4380 W 6TH STREET WABASHA, MN 56091 PHONE: (507) 454-5993	CROSS SECTION B-B
						WABASHA, MINNESOTA