



Inver Grove Heights Planning Commission
Tuesday, November 1, 2022, at 7:00 PM
8150 Barbara Avenue, Inver Grove Heights, MN 55077

AGENDA

NOTICE TO RESIDENTS: Individuals may submit written public comments in advance of the meeting by emailing comments to Stacy Bodsberg at sbodsberg@ighmn.gov. Comments received prior to 4:00 p.m. on Monday, October 31, 2022, will be provided to the Planning Commission at or before the November 1, 2022, meeting. Residents can also attend the meeting and participate in-person.

1. CALL TO ORDER

2. ROLL CALL

3. CONSENT AGENDA

A. Approval of Minutes from the October 4, 2022, Regular Planning Commission Meeting.

4. APPLICANT REQUESTS AND PUBLIC HEARINGS

A. Request by Bituminous Roadways for a Temporary Sand and Gravel Zoning Ordinance for the mining and processing of sand and gravel at 11201 Rich Valley Boulevard.
(Bituminous Roadways – Case No. 22-37ZC)

B. Request by Builders Lot Group for a Preliminary and Final Plat for Peltier Reserve 2nd Addition and a Planned Unit Development to change the approved front yard setback for the development. (Builders Lot Group – Case No. 22-46PUD)

5. OTHER BUSINESS

6. COMMISSION AND STAFF COMMENTS

7. ADJOURN

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, October 4, 2022 - 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

1. CALL TO ORDER

Chair Niemioja called the Planning Commission Meeting to order at 7:00 p.m.
The Pledge of Allegiance was recited.

Commissioners Present: Elizabeth Niemioja (Chair)
Dennis Wippermann
Anthony Scales
Scott Clancy
Robert Heidenreich
Joan Robertson
Kate Challeen
Jaime Besser
Jonathan Weber

Staff Present: Allan Hunting, City Planner
Heather Botten, Associate Planner

2. APPROVAL OF THE PLANNING COMMISSION MINUTES FOR SEPTEMBER 20, 2022:

The Planning Commission Meeting Minutes for September 20, 2022, were approved as submitted.

3. APPLICANT REQUESTS AND PUBLIC HEARINGS:

A. Consider the following requests for the property located at 6685 Cahill Avenue (Scott & Lou Ann Brunfelt - Case No. 22-43ZPA):

- a. Comprehensive Plan Amendment to change the land use from Mixed Use to LDR, Low Density Residential.**
- b. Rezoning of the property from B-1, Limited Business District to R-1C, Single Family Residential District.**

Reading of Public Notice

Commissioner Weber read the Public Hearing Notice to consider the request for Scott & Lou Ann Brunfelt - Case No. 22-43ZPA for property located at 6685 Cahill Avenue. The request consists of a Comprehensive Plan Amendment to change the land use from MU, Mixed Use to LDR, Low Density Residential and Rezoning of the parcel from B-1, Limited Business to R-1C, Single-Family Residential.

Notices were mailed to 70 property owners on September 21, 2022.

Presentation of Request

City Planner Hunting gave a presentation and summary of the staff report for the Planning Commission.

Chair Niemioja inquired about the guidance from City Council and keeping the commercial in the area. Mr. Hunting stated that it seems the City Council would like to retain as much commercial as possible, and that they wouldn't want to lose opportunities forever.

Commissioner Scales questioned if the city has any future plans to purchase the other residential homes to the south of the proposed property. Mr. Hunting stated that the city does not.

Commissioner Challeen inquired if the major concern is the potential for spot zoning. Mr. Hunting stated that is one of the concerns, but also the uses of the properties and would be considered non-conforming since the residents are strictly living in the homes and not operating a business out of them.

Commissioner Clancy questioned if the city offers any resources to help residents attract potential buyers. Mr. Hunting stated that the city does not. There are other resources and programs available that help start up businesses that the city is associated with.

Commissioner Wipperman questioned if the property is rezoned to residential, could the new owners operate a business out of the home. Mr. Hunting stated that once the zoning changes that the property would not be able to operate a business and be used only as residential.

Opening of Public Hearing

Scott Brunfelt, 6685 Cahill Avenue, Applicant, stated that he has reviewed and understands the Planning Commission report. Mr. Brunfelt read a prepared statement detailing the history of living and growing their insurance business and family at their home, 6685 Cahill Avenue. The Brunfelts are closing their insurance business and moving up north. The family that would like to purchase their property cannot get a mortgage with the property currently zoned B-1, the property zoning needs to be changed to single family residential use.

Commissioner Robertson inquired about the size and future of the parking lot that is currently on the property. Mr. Brunfelt stated that there are six parking stalls and it's expected to stay a parking lot. The lot will be beneficial for the future buyer as there is not parking allowed along Cahill Avenue.

Commissioner Robertson questioned if there would be additional expectations for the parking lot. Mr. Hunting stated that it is existing and there would be no additional expectations.

Chair Niemioja closed the public hearing.

Planning Commission Discussion

Commissioner Weber stated that extending the LDR one more lot fits with what is currently in place with the surrounding residential properties to the south.

Commissioner Scales stated that either way the property will be a residential home, with the business closing. The change in zoning should be made to reflect that change. The original zoning plans have changed throughout the years in Inver Grove Heights, and we should adjust.

Commissioner Robertson stated that she agrees with the previous Commissioners and that the concrete building commercial sites for this sort of business are becoming less and going more digital. Makes sense to adjust the zoning to residential.

Commissioner Challeen inquired about changing all of the B-1 properties to residential. Chair Neimioja stated that would be the recommendation for City Council but not the motion before the Commission tonight.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Heidenreich to approve the:

Comprehensive Plan Amendment to change the land use designation from Mixed Use to LDR, Low Density Residential subject to the conditions listed in the staff report.

Rezoning from B-1, Limited Business District to R-1C, Single Family Residential District subject to the conditions listed in the staff report.

Planning Commission also recommends that the City Council rezones the three properties to the south to R-1C, Single Family Residential District.

Motion carried (9/0). This item goes before the City Council on October 24, 2022.

B. Consider the following requests for the property located at 2855 47th Street East (Bethesda Lutheran Church - Case No. 22-38SZ):

- a. Comprehensive Plan Amendment to change one portion of the subject site from Public/Institutional to LDR, Low Density Residential and a portion of Lots 1, 2, 3, Block 2, Lametti Addition from LDR, Low Density Residential to Public/Institutional.**
- b. Rezoning of two portions of the subject site from P, Public District to R-1C, Single Family Residential District.**
- c. Preliminary and Final Plat for a 3-lot Subdivision.**
- d. Vacation of drainage and utility easements for a portion of the property.**
- e. Variance to allow existing garage on church property to be less than 50 feet from a new property line and any other Variances related thereto.**

Reading of Public Notice

Commissioner Weber read the Public Hearing Notice to consider the request for Bethesda Lutheran Church - Case No. 22-38SV. The request involves property located at 2855 47th Street East and 4612 Bower Path and consists of:

- Comprehensive Plan Amendment to change two portions of the subject site from Public/Institutional to LDR, Low Density Residential; and
- Rezoning of two portions of the subject site from P, Public to R-1C, Single Family Residential; and
- Preliminary and Final Plat for a 3-lot subdivision; and
- Vacation of drainage and utility easements for a portion of the property; and
- Variance to allow existing garage on church property to be less than 50 feet from a new property line and any other Variances related thereto.

Notices were mailed to 87 property owners on September 21, 2022.

Presentation of Request

Associate Planner Botten gave a presentation and summary of the staff report for the Planning Commission.

Commissioner Robertson questioned if there is a need to show a practical difficulty for any of the items. Ms. Botten stated that the need to show practical difficulty is only needed for the Variance. Commissioner Robertson questioned why the need to change the portion of the new residential lot back to Public/Institutional. Ms. Botten stated that there is only enough land to make the one residential lot.

Opening of Public Hearing

David Hohle, 127 - 10th Avenue South, So. St. Paul, Applicant, stated that he read and understood the report. Mr. Hohle stated that the new residential lot stated that with that portion of the lot going from Residential to Public/Institutional it provides the church with a 50-foot side set back from the existing church to the property line.

Commissioner Robertson questioned what the use will be with that portion of land that will be converted back to Public/Institutional. Mr. Hohle stated that the land will remain as is, as a play area.

Linda Weimer, 4609 Bower Path, questioned what the vacation of easement was. Ms. Botten stated that around all properties there are perimeter easements. The easement vacation is in reference to the existing property at 4612 Bower Path, new easements will be dedicated on the plat.

Chair Niemioja closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Weber. Second by Commissioner Clancy to approve the:

Comprehensive Plan Amendment to change one portion of the subject site from Public/Institutional to LDR, Low Density Residential to Public/Institutional and Rezoning of two portions of the property from P, Institutional District to R-1C, Single-Family Residential District subject to the conditions listed in the staff report.

Vacation of Drainage and Utility Easements on Lot 2, Block 3, Seidl Lake Addition subject to the conditions listed in the staff report.

Preliminary and Final Plat for a 3-lot subdivision to be known as Bethesda 2nd Addition subject to the conditions listed in the staff report.

Variance to allow an accessory building 10-feet from the property line whereas 50-feet is required subject to the conditions listed in the staff report.

Using the rationale that is listed in our Planning Commission packet.

Motion carried (9/0). This item goes before the City Council on October 24, 2022.

4. OTHER BUSINESS

None.

5. ADJOURN

The Planning Commission Meeting adjourned at 7:42 p.m.

Minutes prepared by Community Development Support Specialist Stacy Bodsberg.



PLANNING REPORT

CASE NO: 22-37ZC

APPLICANT: Bituminous Roadways

PROPERTY OWNER: Bituminous Roadways

REQUEST: Sand and Gravel Zoning District designation five (5) year renewal

HEARING DATE: November 1, 2022

LOCATION: 112th Street and Rich Valley Boulevard

COMPREHENSIVE PLAN: RDR, Rural Density Residential

ZONING: A, Agricultural and Sand & Gravel Overlay District

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

Bituminous Roadways, Inc. has submitted an application for an extension of their five year Sand and Gravel Overlay Zoning District designation for their approximately 200 acre site. The operations at the existing site include the mining and removal, crushing, screening, washing, and stockpiling of aggregate for the asphalt plant, and the recycling and stockpiling of concrete and rock products. The main processing activities will include, crushing, screening, and washing. Over the life of the facility, mining is proposed to occur on approximately 141 acres of the site and the remaining 60 acres is designated as a buffer area.

Approvals of any Sand and Gravel Overlay Districts require renewal every five years. The current Sand and Gravel approval was granted on October 9, 2017, and expires on October 9, 2022. The site also operates under a Conditional Use Permit to allow for the asphalt plant, processing of sand and gravel and a contractor's yard with open storage. The conditional use permit does not require renewals.

The applicant submitted a request for an extension before the current permit expired. Additional time was needed to review the request before it could be processed.

Request Summary

The applicant has submitted a narrative describing the operation and has provided maps showing existing conditions and a final development plan for the gravel pit. The applicant is proposing one change to the current approvals which is to allow mining below the current lowest elevation. Bituminous Roadways is currently permitted to mine to an elevation of 840 feet above sea level. This is a mining depth of 60-90 feet based on the site based on ground elevation. The applicant is proposing to mine to a depth of 800 feet which would allow Bituminous Roadways to increase the maximum mining depth by 40 feet and extract up to an additional 3.4 million cubic yards of sand and gravel material. The increase in the mining depth is estimated to add approximately 10 years to the life of the mine. The expected duration of mining is 30 years total. Actual life will depend upon market demand.

- The water-table aquifer beneath the site flows generally from west to east at an elevation between 800 to 745-feet
- The same equipment currently in use at the mine will continue to be used for the expansion with no increase in equipment number, size, or type
- The mining rate will remain the same for the expansion, including the frequency of truck trips to and from the operation
- The proposed mine operating aerial footprint will not increase for the proposed expansion
- The location and quantity of fuel, asphalt cement, and other chemical storage will not change from the current operation
- Backfilling of the mine is expected to consist of excess sand from the operation and clean soil from off-site BRI construction projects
- Per Minnesota Rules 4410.4300, subpart 12 the proposed expansion does not trigger a mandatory Environmental Assessment Worksheet

EVALUATION OF THE REQUEST

The site is surrounded by the following uses:

North – Vacant land; zoned A; guided IOS

East – Open space, west 100 acres/agricultural; zoned A and I-1; guided Limited Industrial

West – Open space/agricultural; zoned A; guided RDR

South – Residential, Open space/agricultural; zoned A; guided IOS

History

The City granted the original Sand and Gravel zoning of the property on May 13, 1974. On April 24, 1989, the City approved the CUP for the asphalt plant. The City has granted continual five year extensions since that time with the latest approval in October, 2017.

ANALYSIS

The analysis of this report consists of a review of each condition of the existing Sand and Gravel Temporary Zoning District approval as well as addressing the three proposed changes. The existing condition will be listed followed by a response on the status of that condition and/or modification.

A. Sand and Gravel Temporary Zoning District

1. The Temporary Sand and Gravel (S&G) Zoning shall remain in place on the property for a period of five (5) years to expire on October 9, 2017.

The original schedule for approval would have occurred before October 9 but additional review time was needed as the city had its environmental consultant, Barr Engineering review the request to determine if there were any negative effects of allowing additional mining depth.

The application will be reviewed by the Environmental Commission on November 17 and City Council on November 28.

2. The operation of the sand and gravel operation approved herein shall comply with all provisions of Inver Grove Heights City Code, Title 10-13G, Sand and Gravel Zoning District, except as specifically modified herein.

No issues found with this condition. Staff is not aware of any non-compliance with this condition.

3. The following plans, on file with the Planning Division, shall constitute the “approved plans” referenced therein:

Existing conditions dated 8/5/22
Phasing Plan dated 8/5/22
Cross Sections of Mining Area dated 8/5/22
Final Land Use Plan dated 4/25/02
Reclamation Plan dated 8/5/22
Landscaping Plan – east property line dated 2012
Landscape Plan – south property line dated 2012

All aspects of the operation of the site shall comply with the approved plans.

The site has been operating in accordance with the approved plans since the expansion was approved in 2002. The current Comp Plan guides the area as IOP, Industrial Open Space. This category was created to serve as a buffer between heavier industrial uses (land fill, gravel pit and refinery) and residential uses. Industrial uses that are currently operating within this area would be allowed to continue operating under existing permits without further restrictions. The final land use plan shows large lot residential with a public street extending from Rich Valley Boulevard. No sewer is expected on the west side of Rich Valley and therefore the lots would be served by their own well and septic system. No other issues existing with this condition.

4. The location of the asphalt plant shall remain in its existing position and shall not be relocated unless this sand and gravel ordinance is amended.

No changes proposed. No issues with this condition.

5. "Operation" as it relates to hours of operation, shall include, but is not limited to, all mining and grading operations, washing, the operation of the asphalt plant on the site, and movement of vehicles and equipment in and out of the site. Hours of operation on the site shall be limited to 7:00 a.m. to 7:00 p.m., Monday - Saturday, except hours of operation may begin at 6:00 a.m. Monday - Saturday for internal operations only, including start up of the asphalt plant and allowing BRI owned vehicles that were parked overnight to exit the site. The crushing of concrete and asphalt shall be regulated by condition #6.

No changes proposed.

6. Crushing of concrete on site shall be permitted provided the following conditions are met:
 - a) All crushing operations shall be conducted in the current location in the existing site.
 - b) The stockpile of concrete to be crushed and the stockpile of already crushed concrete shall not in the aggregate exceed a total of 50,000 cubic yards.
 - c) The height of the stockpiles shall not exceed 25 feet.
 - d) Crushing shall occur on not more than 12 weeks during the calendar year. No crushing shall occur on Sunday; crushing shall only occur between the hours of 7:00 a.m. and 7:00 p.m. Monday - Friday and 9:00 a.m. to 6:00 p.m., Saturday.

No issues with this condition. To our knowledge, the site operates under these conditions. Staff has not received any complaints that the operator is working outside of the approved hours.

7. Bituminous Roadways may temporarily store Manufactured Organic Shingle Scrap (MOSS) in open storage areas provided the areas in the aggregate do not exceed one (1) acre in size and provided the location and storage configuration is approved by the Fire Marshal and Director of Community Development. MOSS storage areas may be relocated as operations on the site change subject to the approval of the Fire Marshal and the Director of Community Development. The City may impose reasonable conditions relating to dust control, fire prevention and size, height and configuration of the storage piles.

Bituminous Roadways does temporarily store MOSS on site in the area identified as shingle storage on the site plan. The stock pile is located in the same area as the previous approval (typically in the northern portion of the site). No issues with this condition.

8. The final disposal of MOSS on the site shall be prohibited.

Operational condition.

9. As part of the approval granted herein, the applicant may use used concrete and asphalt products as a part of the operation. Stockpiling area for these materials shall be as noted on the approved plans.

The proposed plans show the location of the product stockpiles. The stockpiles are generally located in the same location as previous approvals. No issues with this condition.

10. Bituminous Roadways shall prohibit all drivers of trucks from using Rich Valley Boulevard north of Cliff Road except in those instances where materials are being taken to a project located within the City's regulatory authority. Bituminous Roadways shall post an advisory to all drivers to the same effect at exits from the site.

No issues with this condition. To our Knowledge, the site operates under these conditions.

11. The site shall be kept clear, at all times, of windblown debris.

No issues with this condition. To our Knowledge, the site operates under these conditions.

12. The foundry sand in the southeast berm shall be left undisturbed.

The southeast foundry sand berm had been undisturbed and contained a vegetative cover. This condition has been satisfied.

13. Bituminous Roadways shall bring no additional foundry sand onto the site.

Operational condition. No additional foundry sand has been found on the site.

14. The berms which cover the foundry sand shall be maintained in vegetative cover to control erosion of the foundry sand.

This condition has been satisfied.

15. The stockpiled MOSS, shingle scrap, recycled asphalt, and concrete pavement will not be disposed at the site.

No issues with this condition. To our knowledge, the site operates under these conditions.

16. Stockpiles of recycled asphalt, MOSS, shingles, and concrete shall be limited in size to amount that will be used that year.

No issues with this condition. To our knowledge, the site operates under these conditions.

17. Backfill material shall be either clean fill material that was stripped off the site or other clean fill material which is brought in from offsite.

Operational condition.

18. Spent bag house bags will be disposed of in a lined landfill permitted or approved to accept such materials.

Bituminous Roadways indicates the spent bags are disposed of at a landfill.

19. A restoration bond shall be in an amount to cover the costs of restoration of the site, as determined by the City Engineer, prior to City Council approval.

The City does have a restoration bond from Bituminous Roadways to cover the costs of restoration. The City Engineer indicates no changes are needed.

20. Bituminous Roadways shall obtain and maintain the necessary licenses and approvals from Dakota County and Minnesota Department of Natural Resources. Terms and conditions of the license and approval shall be hereby incorporated into this City approval.

Bituminous Roadways has provided the city with copies of all necessary permits from other agencies. The site is in compliance with this condition.

21. Bituminous Roadways shall obtain and maintain the necessary Minnesota Pollution Control Agency permits including two air quality permits and one industrial storm water permit. The terms and conditions of those permits shall be hereby incorporated into this City approval.

Bituminous Roadways has provided the city with copies of all of the required permits. No notices of violation have ever been issued by the MPCA. The site is in compliance with this condition.

22. All reports which are required to be submitted to Dakota County under the single Hazardous Waste Generators License and the one Processing License shall also be submitted to the City, including the required annual and quarterly reports.

During the 2012 renewal, it was discovered from Dakota County that as of 2003, the facility was no longer a hazardous waste generator and no reports were required. Condition should be eliminated with this renewal.

23. All reports which are required to be submitted to the Minnesota Pollution Control Agency shall also be submitted to the City, including annual emissions inventory report, semi-annual deviations report, annual compliance certification report, and annual report.

Bituminous Roadways has provided to the city copies of their reports submitted to the MPCA. The site is in compliance with this condition.

24. Monitoring shall be conducted at the single ground water well that consists of arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, zinc, DRO, GRO, phenol, pH, electric conductivity and alkalinity. The monitoring should occur with half the wells every other year. Parameters and protocols shall be as agreed to by Dakota County, the City and Bituminous Roadways.

Staff has received copies of the well tests. According to the project narrative, the sample concentrations show the levels below limits.

25. Monitoring of the east and west storm water ponds both wash water ponds and three wells shall be conducted every other year and shall be tested for the same elements as listed in condition #24 per the proposed testing schedule identified on the Water Testing Map.

No changes.

26. All buildings shall be removed from the site within three (3) months of the closure of the facility.

Operational Condition.

27. Bituminous Roadways shall enter into a Host Community Agreement with the City of Inver Grove Heights including the payment of host community fees, within three (3) months of the State Legislature providing the City with the Authority to enter into such an agreement.

The Legislature has not approved any regulations providing cities the authority to collect host community fees for sand and gravel extraction. This condition should remain for future action.

28. Restoration shall be conducted in phases at the site. As portions of the mining area are completed, the areas will be backfilled, graded, topsoil applied and vegetation established.

Operational condition. Engineering would review the backfilling operation to make sure the work is in compliance with the approved plans.

29. The operator is responsible for obtaining all required permits for the wash water well from the appropriate state and or county agencies and must meet all DNR requirements, obligations and protocols for a well appropriations permit, including responsibilities and protocols for any remedial actions and those responsibilities and protocols for any compensation or damages from the loss of well use affected neighboring properties. Any change or any application for an appropriation permit for an aquifer different than the one that has been identified would require and amendment to the conditional use permit.

The City approved the use of a new well to be utilized for washing the aggregate as part of the 2012 approval. The DNR approved a water appropriation permit for the site. The applicant has provided information from the DNR indicating the amount of water used each year.

30. Bituminous Roadways shall provide a voluntary well interference protocol agreement for neighboring properties within ½ mile of the well requesting to be a party thereto. The agreement shall be prepared by Bituminous Roadways and shall stipulate procedures to follow should well problems occur. The agreement between the parties is strictly voluntary and not required for the well to be operational.

Bituminous Roadways prepared an agreement that was part of the package approved by City Council in 2012. BRI has an agreement with 18 neighbors.

31. The southern access to the site shall be allowed as a secondary driveway for the operation provided it is used by no more than 10% of the truck traffic for the site.

Expansion of mining depth. Barr Engineering was retained to conduct an environmental review of the project to determine if there would be any negative effects of allowing deeper excavation. Barr reviewed the request against the following environmental impacts; air quality, groundwater quality, groundwater quantity, surface water quality, and noise. Barr's memo dated 9/29/2022 is attached to this memo. In conclusion, Barr does not see any negative impacts with the request, but does recommend some additional conditions related to back filling soil material since the material would be close to the water table. Essentially, non-contaminated and clean soils should only be used as back fill material. There are two new conditions (31 and 32) added to the ordinance that address Barr's recommendation.

Conditional Use Permit. The site operates under a conditional use permit for the asphalt plat and contractor's yard. No changes to the CUP are proposed. The majority of the conditions are part of the Sand and Gravel Overlay Ordinance and have been covered above.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed project:

A. Approval: If the proposed request is found to be acceptable, approval of the applicable following actions should be taken:

o Approval of the **Temporary Sand and Gravel Zoning** Renewal for a period of five (5) years subject to the following conditions:

1. The Temporary Sand and Gravel (S&G) Zoning shall remain in place on the property for a period of five (5) years to expire on (council approval date), 2022.

2. The operation of the sand and gravel operation approved herein shall comply with all provisions of Inver Grove Heights City Code, Title 10-13G, Sand and Gravel Overlay District, except as specifically modified herein.

3. The following plans, on file with the Planning Division, shall constitute the "approved plans" referenced therein:

- Existing conditions dated 8/5/22
- Phasing Plan dated 8/5/22
- Cross Sections of Mining Area dated 8/5/22
- Final Land Use Plan dated 4/25/02
- Reclamation Plan dated 8/5/22
- Landscaping Plan – east property line dated 2012
- Landscape Plan – south property line dated 2012

All aspects of the operation of the site shall comply with the approved plans.

4. The location of the asphalt plant shall remain in its existing position and shall not be relocated unless this sand and gravel ordinance is amended.

5. "Operation" as it relates to hours of operation, shall include, but is not limited to, all mining and grading operations, washing, the operation of the asphalt plant on the site, and movement of vehicles and equipment in and out of the site. Hours of operation on the site shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday, except hours of operation may begin at 6:00 a.m. Monday - Saturday for internal operations only, including start up of the asphalt plant and allowing BRI owned vehicles that were parked overnight to exit the site. The crushing of concrete which shall be regulated by Condition #6. The asphalt plant shall be allowed to operate a maximum of 30 night shifts (7:00 p.m. to 7:00 a.m.) during the construction season each year. Bituminous Roadways shall provide the city with written notice prior to each event, including confirmation of contact with the nearest neighbor so a record can be kept to monitor total hours used each season.

6. Crushing of concrete on site shall be permitted provided the following conditions are met:

- a) All crushing operations shall be conducted in the current location in the existing site.
- b) The stockpile of concrete to be crushed and the stockpile of already crushed concrete shall not in the aggregate exceed a total of 50,000 cubic yards.
- c) The height of the stockpiles shall not exceed 25 feet.
- d) Crushing shall occur on not more than 12 weeks during the calendar year. No crushing shall occur on Sunday; crushing shall only occur between the hours of 7:00 a.m. and 7:00 p.m. Monday - Friday and 9:00 a.m. to 6:00 p.m., Saturday.

7. Bituminous Roadways may temporarily store Manufactured Organic Shingle Scrap (MOSS) in open storage areas provided the areas in the aggregate do not exceed one (1) acre in size and provided the location and storage configuration is approved by the Fire Marshal and Director of Community Development. MOSS storage areas may be relocated as operations on the site change subject to the approval of the Fire Marshal and the Director of Community Development. The City may impose reasonable conditions relating to dust control, fire prevention and size, height and configuration of the storage piles.

8. The final disposal of MOSS on the site shall be prohibited.

9. As part of the approval granted herein, the applicant may use used concrete and asphalt products as a part of the operation. Stockpiling area for these materials shall be as noted on the approved plans.

10. Bituminous Roadways shall prohibit all drivers of trucks from using Rich Valley Boulevard north of Cliff Road except in those instances where materials are being taken to a project located within the City's regulatory authority. Bituminous Roadways shall post an advisory to all drivers to the same effect at exits from the site.

11. The site shall be kept clear, at all times, of windblown debris.
12. The foundry sand in the southeast berm shall be left undisturbed.
13. Bituminous Roadways shall bring no additional foundry sand onto the site.
14. The berms which cover the foundry sand shall be maintained in vegetative cover to control erosion of the foundry sand.
15. The stockpiled MOSS, shingle scrap, recycled asphalt, and concrete pavement will not be disposed at the site.
16. Stock piles of recycled asphalt, MOSS, shingles, and concrete shall be limited in size to amount that will be used that year.
17. Backfill material shall be either clean fill material that was stripped off the site or other clean fill material which is brought in from offsite.
18. Spent bag house bags will be disposed of in a lined landfill permitted or approved to accept such materials.
19. A restoration bond shall be in an amount to cover the costs of restoration of the site, as determined by the City Engineer, prior to City Council approval.
20. Bituminous Roadways shall obtain and maintain the necessary licenses and approvals from Dakota County and Minnesota Department of Natural Resources. Terms and conditions of the license and approval shall be hereby incorporated into this City approval.
21. Bituminous Roadways shall obtain and maintain the necessary Minnesota Pollution Control Agency permits including two air quality permits and one industrial storm water permit. The terms and conditions of those permits shall be hereby incorporated into this City approval.
22. All reports which are required to be submitted to the Minnesota Pollution Control Agency shall also be submitted to the City, including annual emissions inventory report, semi-annual deviations report, annual compliance certification report, and annual report.
23. Monitoring shall be conducted at the single water well that consists of arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, zinc, DRO, GRO, phenol, pH, electric conductivity, and alkalinity. The monitoring shall occur with half the wells every other year. Parameters and protocols shall be as agreed to by Dakota County, the City and Bituminous Roadways.
24. Monitoring of the storm water ponds and wells shall be conducted every other year and shall be tested for the same elements as listed in condition #24 per the proposed testing schedule identified on the Water Testing Map.

25. All buildings shall be removed from the site within three (3) months of the closure of the facility.
26. Bituminous Roadways shall enter into a Host Community Agreement with the City of Inver Grove Heights including the payment of host community fees, within three (3) months of the State Legislature providing the City with the Authority to enter into such an agreement.
27. Restoration shall be conducted in phases at the site. As portions of the mining area are completed, the areas will be backfilled, graded, topsoil applied and vegetation established.
28. The operator is responsible for obtaining all required permits for the wash water well from the appropriate state and or county agencies and must meet all DNR requirements, obligations and protocols for a well appropriations permit, including responsibilities and protocols for any remedial actions and those responsibilities and protocols for any compensation or damages from the loss of well use affected neighboring properties. Any change or any application for an appropriation permit for an aquifer different than the one that has been identified would require an amendment to the conditional use permit.
29. Bituminous Roadways shall provide a voluntary well interference protocol agreement for neighboring properties within ½ mile of the well requesting to be a party thereto. The agreement shall be prepared by Bituminous Roadways and shall stipulate procedures to follow should well problems occur. The agreement between the parties is strictly voluntary and not required for the well to be operational.
30. The southern access to the site shall be allowed as a secondary driveway for the operation provided it is used by no more than 10% of the truck traffic for the site.
31. For soil backfill material, only non-organic compactable soil material be used that is free of contamination, recycled or salvaged aggregate, asphaltic pavement, crushed concrete, scraps of shingles, debris, rubbish, frozen soil, boulders over 1-inch in diameter, logs, wood chips or other objectionable material. Backfill soil should be free of stumps, roots, and branches over 1.5-inches in diameter. Backfill soils should not be placed over frozen subgrade.
32. Contaminated soil shall not be used as fill or brought to the site. If the source of imported fill will be from a location where soil contamination is known, suspected, or can be expected (e.g., soils from gas stations, certain industrial sites, etc.), that soil should not be used for backfilling. Any offsite backfill soil used must come from only BRI projects and include a manifest from each site indicating that no contaminants are suspected to be in the soil material. A copy of the manifest should be submitted to the City.

B. Denial: Should the proposed request, or portions thereof, not be found to be acceptable, the appropriate requests described above should be denied. The basis for denial must be stated in any such motion.

RECOMMENDATION

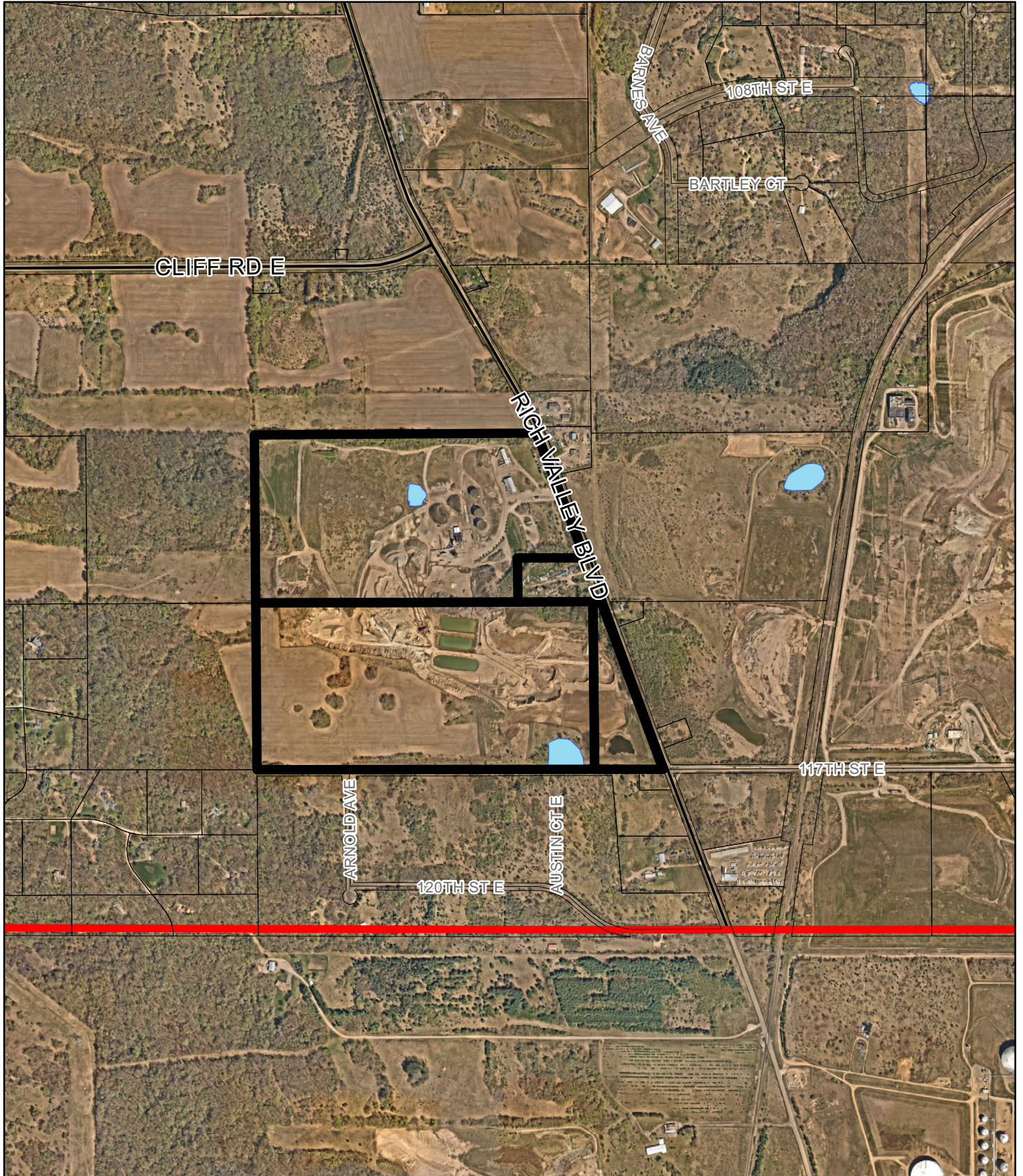
Staff did not find any issues with the five year Sand and Gravel Zoning renewal and would support with the requested change. As such, Staff recommends **Alternative A**, approval of the request with the conditions listed.

Attachments: Site Location
Application Packet including Plans
Current Sand and Gravel Ordinance
Barr Engineering Review Memo



Location Map

Case No. 22-37SC



August 5, 2022
Revised: October 12, 2022

REPORT TO:

BITUMINOUS ROADWAYS, INC.

**APPLICATION FOR
REISSUANCE OF CONDITIONAL USE PERMIT FOR THE
MINING AND PROCESSING OF SAND AND GRAVEL, AN
ASPHALT PLANT AND CONTRACTOR'S YARD WITH
OPEN STORAGE AND FIVE YEAR SAND AND GRAVEL
OVERLAY DISTRICT**

INVER GROVE HEIGHTS, MINNESOTA



Consulting Civil Engineers

Sunde Engineering, PLLC.

10830 Nesbitt Avenue South • Bloomington, Minnesota 55437-3100
Phone: (952) 881-3344 • Fax: (952) 881-1913 • E-Mail: info@sundecivil.com

REPORT TO:
BITUMINOUS ROADWAYS, INC.

**APPLICATION FOR
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ASPHALT PLANT AND CONTRACTOR'S YARD WITH
OPEN STORAGE AND FIVE YEAR SAND AND GRAVEL
OVERLAY DISTRICT**

INVER GROVE HEIGHTS, MINNESOTA

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



Kirsten Pauly, P.E. P.G.

DATE 10/12/22 REG. NO. 21842

SUBMITTED BY:

SUNDE ENGINEERING, PLLC
10830 Nesbitt Avenue South
Bloomington, MN 55437

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- Figure 2: USGS Quad Map Excerpt
- Figure 3: Landscaping – East Property Line
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- Attachment 1: Property Owners Within 1000 Feet
- Attachment 2: The Technical Memorandum for the Bituminous Roadways, Inc. - Environmental Review of Proposed Expansion, by Barr Engineering Co. dated September 29, 2022
- Attachment 3: Report of Frequently Asked Questions for Bituminous Roadways, Inc. Proposed Wash Water Well by Barr Engineering Company, dated October 2012
- Attachment 4: The Technical Memorandum for the Bituminous Roadways Noise Assessment, by Barr Engineering Co. dated November 29, 2018
- Attachment 5: Wetland Delineation Report
- Attachment 6: Storm Water Management Calculations

LIST OF PLANS:

- A-1 2021 Aerial
- C-1 Existing Conditions
- C-2 Phasing Plan
- C-3 Cross-Section A-A'
- C-4 Cross-Section B-B'
- C-5 Cross-Section C-C'
- C-6 Reclamation Plan

I. INTRODUCTION

Bituminous Roadways, Inc. (BRI) operates a sand and gravel mining and processing facility located in the southern portion of Inver Grove Heights (Site). The Site operates in accordance with City of Inver Grove Heights Ordinance 1343 which establishes operating conditions and a five year Sand and Gravel Zoning over the property. The Site also operates under a five year Conditional Use Permit (CUP) that allows for operation of the asphalt plant, mining and processing of sand and gravel, and a contractor's yard. The current CUP and Ordinance 1343 were issued in October of 2017. The CUP was amended in 2020 to allow the storage of 5.3 million gallons of asphalt cement in three above ground tanks. This application pertains to a five year renewal of the operating conditions and Temporary Sand and Gravel Zoning of the Site. This application provides updated information on Site operations.

Activities allowed include mining and processing (crushing, screening, and washing), stockpiling, loading and hauling, reclamation, bulk asphalt cement storage, and operation of an asphalt plant and a contractor's yard. In addition, the Site operates under a General Non-Metallic Mineral Mining and Associated Activities National Pollutant Discharge Elimination System (NPDES) Permit and an Air Emissions Permit issued by the Minnesota Pollution Control Agency (MPCA), a Minnesota Department of Natural Resources (DNR) Water Appropriations Permit, a Dakota County Hazardous Waste Generators License and Processing License, and a MPCA Permit for Storage of Liquid Substances at a Major Aboveground Storage Tank Facility. Environmental Review was completed for the mining operation with the City of Inver Grove Heights as the Responsible Government Unit (RGU). The City Council issued a negative declaration on the need for an Environmental Impact Statement (EIS) on April 8, 2002 in accordance with the Minnesota Environmental Quality Board (EQB) Rules. In 2020 a mandatory Environmental Assessment Worksheet (EAW) was completed for the construction of the 5.3 million gallon bulk asphalt cement storage facility on the Site with the MPCA as the RGU. The MPCA issued a negative declaration on the need for an EIS on September 14, 2020.

This application proposes to continue operations as currently approved, with the exception of one request to amend the current mining depth as follows:

Amend Mining Depth Limits:

BRI is currently permitted to mine to an elevation of 840 feet above mean sea level (msl) at the Site. This equates to a mining depth of approximately 60-90 feet. BRI is requesting to amend the mining depth to an elevation of 800 feet above msl in the remaining Phases of the Site. This will provide a more efficient use of this resource which is vital to meet the ongoing demand for construction aggregate in the

surrounding area. The material will be available for use in important public infrastructure projects, road improvement projects, schools, housing and other building construction needs.

The proposed mining depth would lower the maximum mining depth to the elevation of the groundwater table, but not into or below the groundwater table. The mined area will be backfilled in accordance with the approved reclamation plan allowing for future development of the Site. Backfill material will consist of only non-organic compactable soil material that is free of contamination, recycled or salvaged aggregate, asphaltic pavement, crushed concrete, scraps of shingles, debris, rubbish, frozen soil, boulders over 1-inch in diameter, logs, wood chips or other objectionable material. This amendment will allow BRI to increase the maximum mining depth by 40 feet and extract up to an additional 3.4 million cubic yards of sand and gravel material over the remaining life of the mine.

The City of Inver Grove Heights retained Barr Engineering Company (Barr) to review the potential environmental-related impacts of the proposed increased mining depth at the Site. The Technical Memorandum for the Bituminous Roadways, Inc. - Environmental Review of Proposed Expansion, by Barr Engineering Co. dated September 29, 2022 (Barr Technical Review) is provided as Attachment 2 in this report. Barr's review states that the proposed increase in mining depth will not change the air quality from the current operation. The report also states that the groundwater quality and quantity and surface water quality will not be negatively impacted by the change, but recommends that only non-organic fill free of contamination be used for backfill material. Barr's report also states that there will not be any negative noise impact from the proposed change. Barr's recommendations include that the CUP contain requirements for soil backfill material and that BRI review and amend the Spill Prevention, Control, and Countermeasure (SPCC) Plan as appropriate. BRI's current SPCC Plan includes the practices, personnel, equipment, and resources available to prevent a spill and what actions to take if a spill were to occur. The SPCC Plan will be reviewed and amended prior to initiating any mining activity below elevation 840 feet above msl at the Site.

As part of the 2012 permit renewal BRI requested to install a wash water well for the sand and gravel washing operation conducted at the Site. At that time Barr was retained to study the effects the new well would have on groundwater and the neighboring wells. Barr prepared a report to answer frequently asked questions neighbors may have had regarding the study and the installation of the wash water well. Based on the report and Barr's findings the groundwater elevation at the Site at that time was approximately 800 feet above msl. The Report of Frequently Asked

Questions for Bituminous Roadways, Inc. Proposed Wash Water Well by Barr Engineering Company, dated October 2012 (2012 FAQ Wash Water Well) is provided as Attachment 3 in this report. BRI's request to mine to the elevation of 800 feet above msl is based on the groundwater elevation information provided in this report. Since groundwater elevations fluctuate annually and seasonally, BRI will monitor the groundwater elevation at the Site and will not mine below the groundwater. BRI will update their Spill Prevention Control and Countermeasures (SPCC) Plan accordingly and implement best management practices to protect groundwater quality. BRI will also conduct groundwater monitoring in accordance with the current groundwater monitoring plan included in Section III.15.

This report and accompanying plan set provides information regarding the mining operation.

II. SITE INFORMATION

1. General Site Information

The Site is located in Section 32, Township 27 North, Range 22 W, in the City of Inver Grove Heights in Dakota County, just west of County Road 71 (Rich Valley Boulevard). The general location of the Site is illustrated on Figure 1.

The Site includes the original north mine which has been actively mined since 1963, the asphalt production plant that has been permitted since 1980, and the southerly expansion area which was originally permitted in 2002 after completion of an Environmental Assessment Worksheet (EAW). During the 2002 permitting process, the areas were combined into one permit to facilitate the five-year permit review and renewal process.

The Site encompasses a total of approximately 201 acres. Over the life of the facility, mining is proposed to occur on approximately 141 acres and the remaining 60 acres is setback and buffer area. Mining has been completed over the majority of the northern portion of the Site and has progressed to the south. Reclamation activity is substantially complete on the northern portion of the Site and will continue throughout the next five-year permit term in areas where mining has been completed.

Mining activity currently takes place in the southern portion of the Site. Portions of this area have been stripped in preparation for the progression of mining. Screening from Rich Valley Boulevard and from the Wicker property (an adjacent residential property) is provided with screening berms and tree/brush cover. Figure 3, Landscaping – East Property Line shows the approximate location of screening berms and tree/brush

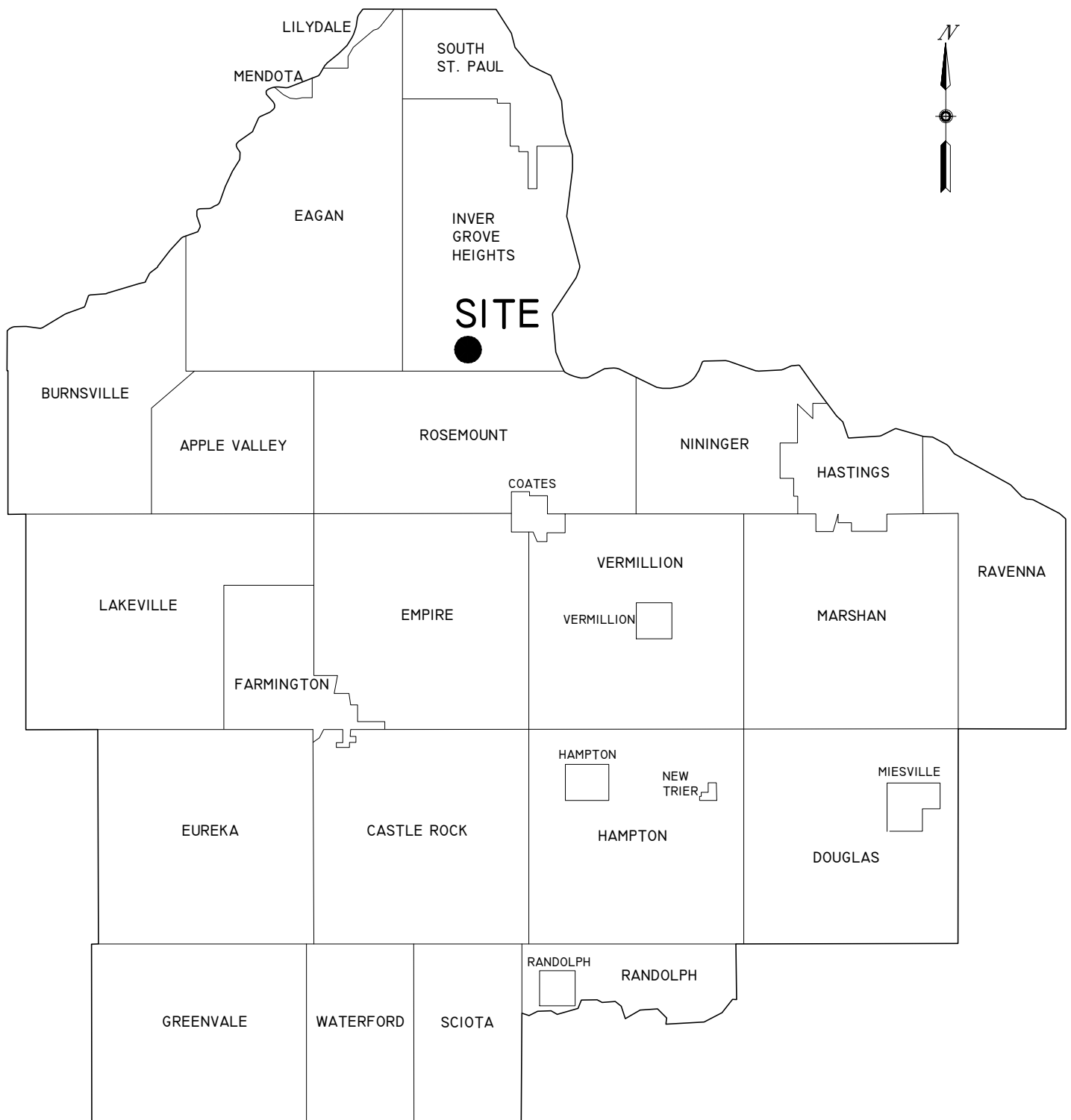


FIGURE 1 GENERAL LOCATION MAP

BITUMINOUS ROADWAYS INC.
INVER GROVE HEIGHTS GRAVEL PIT

2022 PERMIT REISSUANCE

cover. A washplant and sedimentation ponds were constructed during the 2012 permit term in accordance with the approved plans. Inactive phases of the Site continue to be used for agricultural production and open space/wooded areas. A gas pipeline runs along a portion of the southern boundary of the Site and transects the western portion of the Site. The pipeline will not be disturbed as part of the mining operations.

Surrounding land uses include agricultural production to the north (under the control of Flint Hills Resources), rural residential to the south and west, and agricultural and industrial to the east and southeast. The Site with respect to adjacent features is indicated on Figure 2, USGS Quadrangle Map Excerpt.

Specific Site features are indicated on the Existing Conditions Plan, Sheet C-1.

2. Site Ownership

The northern parcel is owned by:
Kent Peterson, LLC
1520 Commerce Drive
Mendota Heights, MN 55120
(651) 686-7001

The southern parcels are owned by:
Bituminous Roadways, Inc.
1520 Commerce Drive
Mendota Heights, MN 55120
(651) 686-7001

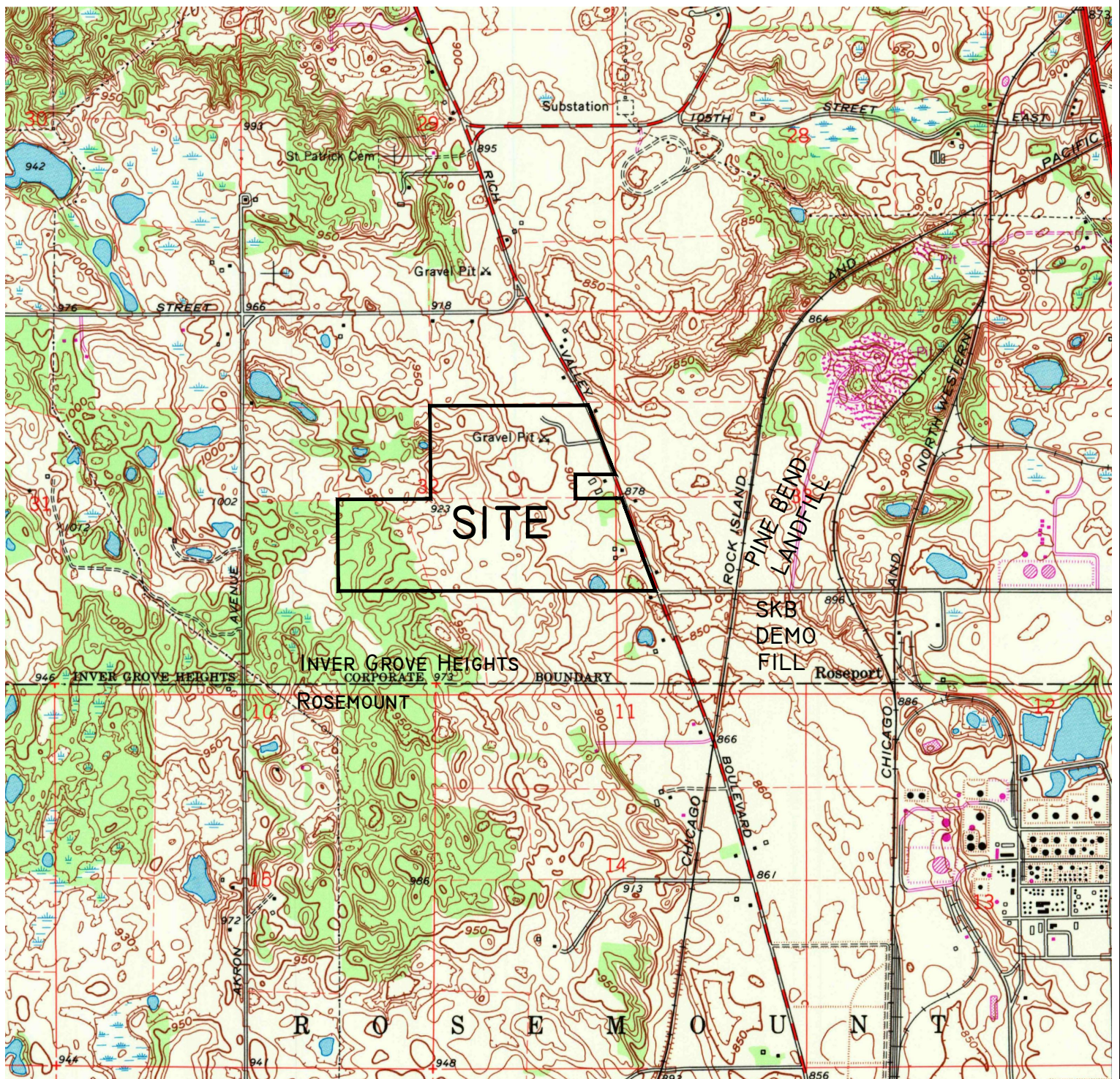
3. Site Operator

The Site is operated by:
Bituminous Roadways, Inc.
1520 Commerce Drive
Mendota Heights, MN 55120
(651) 686-7001

4. Legal Description

The legal description of the Site is as follows:

That part of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 32, Township 27, Range 22, W, lying Westerly of Rich Valley Boulevard; except that part described as follows: Commencing at the SE corner of said S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence West along the South line thereof, a distance of 592.43 feet; thence North 344.9 feet; thence East 570 feet to the centerline

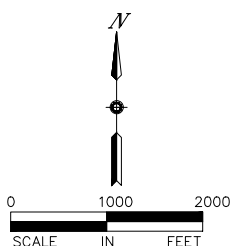


Source: USGS 7.5 MINUTE SERIES
TOPOGRAPHIC QUADRANGLE 1967
INVER GROVE HEIGHTS, MINNESOTA

FIGURE 2
USGS QUADRANGLE MAP EXCERPT

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of Rich Valley Boulevard; thence Southeasterly along said centerline, a distance of 67 feet to the East line of said S $\frac{1}{2}$ of the NE $\frac{1}{4}$; thence South 281.85 feet to the point of beginning.

And

The Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the North One-Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$), Section thirty-two (32), Township twenty-seven (27), Range twenty-two (22) AND All of that tract of land lying West of Highway Number Five (5) in the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section thirty-three (33), Township twenty-seven (27), Range twenty-two (22); subject to an easement to Minnesota Northern Natural Gas Company, as described in Deed recorded in Book 193 of Deeds, page 374.

5. Neighboring Properties

A property owner's list within 1000 feet of the Site is included in Attachment 1.

III. OPERATIONS

1. Mineral Extraction

Site operations include stripping overburden from areas to be mined. Overburden is used to create screening berms along the perimeter of the property. The depth of overburden varies across the Site from one to seven feet in thickness based on soil borings drilled over the project area. Overburden remains on-site and is later used during the reclamation process.

Aggregate is removed from the bank using a front end loader. Currently excavation is permitted to a maximum elevation of 840 feet above msl. Areas are subsequently backfilled with on-site material or imported clean soil fill to achieve the proposed reclamation grades.

BRI is requesting to mine to a maximum elevation of 800 feet above msl, the approximate groundwater elevation as determined by Barr in the 2012 Wash Water Well FAQ Report, provided in this report in Attachment 3. This will increase the depth of the mining excavation to the elevation of the groundwater (an increase of about 40 feet) to better utilize the existing resource and continue to meet current market demand. This would allow to BRI to extract up to an additional 3.4 million cubic yards of sand and gravel material over the remaining life of the mine. The additional mining depth will provide a more efficient use of this resource which is vital to meet the ongoing demand for construction aggregate in the surrounding area. The material will be available for

use in important public infrastructure projects, road improvement projects (State, County, City and local), schools, housing and other building construction needs. Mining operations at the Site will not change as part of the proposed increase in mining depth. No additional equipment will be used, no additional storage of fuel or other chemicals is proposed, and the frequency of truck trips will remain the same as current operations. The increase in mining depth is estimated to add approximately 10 years to the life of the mine.

The City of Inver Grove Heights retained Barr to review the potential environmental-related impacts of the proposed increased mining depth at the Site. The Barr Technical Review states that the proposed increase in mining depth will not change the air quality from the current operation. The report also states that the groundwater quality and quantity and surface water quality will not be negatively impacted by the change, but recommends that only non-organic fill free of contamination be used for backfill material (see Section IV. RECLAMATION for additional backfill information). Barr's Technical Review also states that there will not be any negative noise impact from the proposed change.

Many mining operations in Minnesota and Wisconsin mine to and into the groundwater. BRI is proposing to mine just to the groundwater and is not proposing dredging or dewatering operations. BRI will monitor the groundwater level to maintain excavation activity at or above the groundwater level. During reclamation activities BRI will backfill with only non-organic material that is free of contamination.

Excavation will proceed in phases as illustrated on the Phasing Plan, Sheet C-2. Each phase is estimated to represent approximately eight years' worth of mining activity. The expected duration of mining is approximately an additional thirty years, although the actual life of the Site will depend upon market demand. Cross Sections A-A', B-B' and C-C' Sheets C-3 through C-5 illustrate the sand and gravel deposit, maximum mining depth, reclamation grades, and existing grades.

2. Processing

Excavated material is loaded into a feed bin and conveyed to the screening area and wash plant. Material is screened and washed and conveyed into product stockpiles. Oversized rock is screened and conveyed to a stockpile in the processing area to be crushed at a later date. Material is then transported to the northern portion of the Site for additional processing. Material is transported from the active face to the processing area using conveyors and/or off road haul trucks. Crushing operations occur at the Site approximately once per year for a duration of about 3-4 weeks and is performed by an

outside contractor. Processing includes crushing, washing, screening, sorting and blending into a variety of aggregate products. The majority of the material produced is used in the production of asphalt mix at the on-site asphalt plant.

Recycling of concrete and asphalt occurs in the northern portion of the Site. The material is hauled to the Site and stockpiled. These materials are crushed periodically and blended into specific aggregate products. Crushing occurs on the Site as described above. The combined volume of concrete material to be crushed and the crushed concrete stockpile is not allowed to exceed 50,000 cubic yards. Asphalt is crushed and used on-site in various asphalt mixes. Crushing associated with the recycling operation is restricted to no more than 12 weeks of operation during the calendar year and is subject to limited hours of operation as described in item 4 below.

Manufactured organic shingle scrap (MOSS) recycling is no longer processed at the Site.

A washplant is operated full time on the Site. A washplant is a structure that is composed of a series of screens and spray bars. As aggregate is passed through the plant it is sprayed with water to remove fine sand and silt from the aggregate. The washwater contains no chemicals or additives. After the washwater passes through the plant, it is discharged into a series of sedimentation ponds. The sedimentation ponds allow for the fine sediment to settle out of the washwater. Treated washwater is recycled back to the wash plant from the final sedimentation pond for reuse.

The washplant and sedimentation pond area was updated in 2013. A Water Appropriations Permit was obtained from the DNR and a new production well was drilled as part of the washplant updates. A series of sedimentation ponds treat the washplant discharge removing suspended fine sediment and then the treated washwater is recycled back to the plant. The production well supplies make up water to the clean water intake pond and operates for a maximum of 12 hours per day on a seasonal basis.

BRI has provided a voluntary well interference protocol agreement with neighboring properties within ½ mile of the well requesting to be a party thereto. The agreement stipulates procedures to follow if a well interference issue should occur.

Above Ground Asphalt Cement Storage

In 2020 BRI obtained all applicable permits for and constructed an above ground asphalt cement tank storage system. The system includes three 48 feet high 65-80 foot diameter carbon steel above ground tanks and associated piping to store a total of 5.3 million gallons of asphalt cement. The system also includes a secondary containment

system along with a fire protection system. BRI operates the asphalt cement tank system in accordance with all required permits and State and Federal laws.

Typically, the storage tanks will be filled with asphalt cement during the winter months, when market conditions are favorable. Asphalt cement will be transported to the Site in tanker trucks and pumped from the tanker trucks into the storage tanks. During the construction season, asphalt cement will either be pumped from the storage tanks and transferred directly to the adjacent asphalt plant or pumped into tanker trucks for distribution to BRI's other asphalt production facilities.

3. Fencing

Portions of the Site adjacent to steep slopes are fenced with six-foot high chain link fencing. Fencing is illustrated on the Existing Conditions Plan C-1.

4. Hours of Operation

The Site is currently permitted to operate all activities, except crushing concrete and asphalt recycle material, including mining, grading, crushing and screening of aggregate, washing, movement of vehicles into and out of the Site, and operation of the asphalt plant between the hours of 7 a.m. and 7 p.m. Monday through Saturday. An additional hour from 6 a.m. to 7 a.m. Monday through Saturday is permitted for internal operations only, including start-up of the asphalt plant and allowing BRI owned vehicles that were parked overnight to exit the Site. Concrete and asphalt recycle crushing activity only occurs between the hours of 7 a.m. – 7 p.m., Monday – Friday, and 9 a.m. – 6 p.m., Saturday. Concrete and asphalt recycle crushing will be limited to no more than 12 weeks during the calendar year and there will be no crushing on Sunday.

The asphalt plant is permitted to operate a maximum of 30 night shifts from the hours of 7 p.m. – 7 a.m., during the construction season each year. Night shifts are required with certain jobs, especially State Highway work. BRI provides the City with written notice prior to each event so a record can be kept to monitor the total number of nights work.

BRI also notifies their closest neighbor, Todd Wicker, prior to night shift work. Mr. Wicker's house is approximately 600 feet from the plant's driveway and approximately 800 feet from the asphalt plant itself. The next nearest occupied residence is approximately 2,000 feet from the plant. BRI has never received any noise or disruption complaints from neighbors regarding night shift operations.

In late 2018 the City of Inver Grove Heights retained Barr Engineering Company (Barr) to perform a noise assessment of the BRI Site to evaluate noise levels from BRI's operations reaching nearby residences. Monitoring for the study was performed in August of 2018. The noise assessment included noise monitoring at the western edge of the Site and an assessment of the data. The report stated that there were no hours where noise levels were above the state residential daytime or nighttime thresholds. Barr concluded in the November 29, 2018 Technical Memorandum that "Monitoring of noise at the western edge of the Bituminous Roadways property indicates that conditions at nearby residences are likely in full compliance with state noise standards. Levels were below the state nighttime noise standards for all hours monitored. Bituminous Roadways' operation on Rich Valley Boulevard does not appear to significantly affect overall noise levels at the residences to the west as the observed cyclical daily noise pattern occurred on days both with and without Bituminous Roadways in operation." The Technical Memorandum for the Bituminous Roadways Noise Assessment, by Barr Engineering Co. dated November 29, 2018 is provided as Attachment 4 in this report. The noise emissions from the Site meet or are below the state nighttime noise standards.

5. Setbacks

Stripping, excavation, processing, stockpiling and sedimentation ponds are setback a minimum of 50 feet from all property lines and gas pipelines, a minimum of 75 feet from the right-of-way line of County Road 71 (Rich Valley Boulevard) and a minimum of 300 feet from adjacent residential structures. Setbacks are indicated on the Phasing Plan, Sheet C-2.

6. Site Access

The main Site is accessed at the north-east corner of the Site off of County Road 71 (Rich Valley Boulevard). The entrance to the Site is paved for at least 75 feet. The haul routes are currently Rich Valley Boulevard north to Cliff Road and Rich Valley Boulevard south to 117th Street. Average daily traffic generated from the Site is approximately 150 truck trips per day. Levels of production are expected to remain fairly consistent over the course of the next permitting period.

The majority of the truck traffic for the asphalt cement tank operation will be generated during the construction off-season during the winter months when the storage tanks are filled. Estimated average daily traffic will be 40 loads (80 trips) per day and 4 loads (8 trips) per hour for up to 25 days during the winter months. Peak hourly traffic generated during the winter months is 8 trips per hour as the filling process can't occur at a faster rate to accommodate more loads. Filling all three tanks will require

approximately 25 ten-hour days of hauling. Traffic generation is based on the capacity of the pump used to unload the trucks which results in about 15 minutes needed to unload each truck. Typically, the tanks will be filled one time per year.

BRI utilizes the north access as the primary access, but keeps the south-east access off of Rich Valley Boulevard as a secondary access to be used intermittently. During the 2012 year renewal period the old farmhouse that was located in the south-east corner of the Site was removed. The driveway associated with this farmhouse remains. The secondary access was previously the driveway for the farmhouse on the Site. The south access has been widened and resurfaced with crushed concrete approximately 200 feet into the Site. The north access is the primary Site access and the southern access is used for up to 10 percent of the Site truck traffic. Haul routes will remain the same as previously permitted and as described above.

7. Landscaping

The setback areas on the Site will be landscaped in accordance with the approved landscape plans (see Figures 3, 3A and 3B). Landscaping includes the establishment of berms along Rich Valley Boulevard and along portions of the southern setback area of the Site. A portion of the berms along the southern setback area and along Rich Valley Boulevard have been constructed and vegetation established.

8. Weed Control

Weeds or other unsightly or noxious vegetation shall be controlled as necessary to maintain a neat appearance of the Site.

9. Wetlands

There are no wetlands located on the Site. There are two low areas on the southern portion of the Site that were indicated as wetland basins in the National Wetland Inventory. A field delineation of the wetland basins was performed by SEH and it was determined that neither area meets the criteria for a jurisdictional wetland determination. A copy of the SEH report is included as Attachment 5.

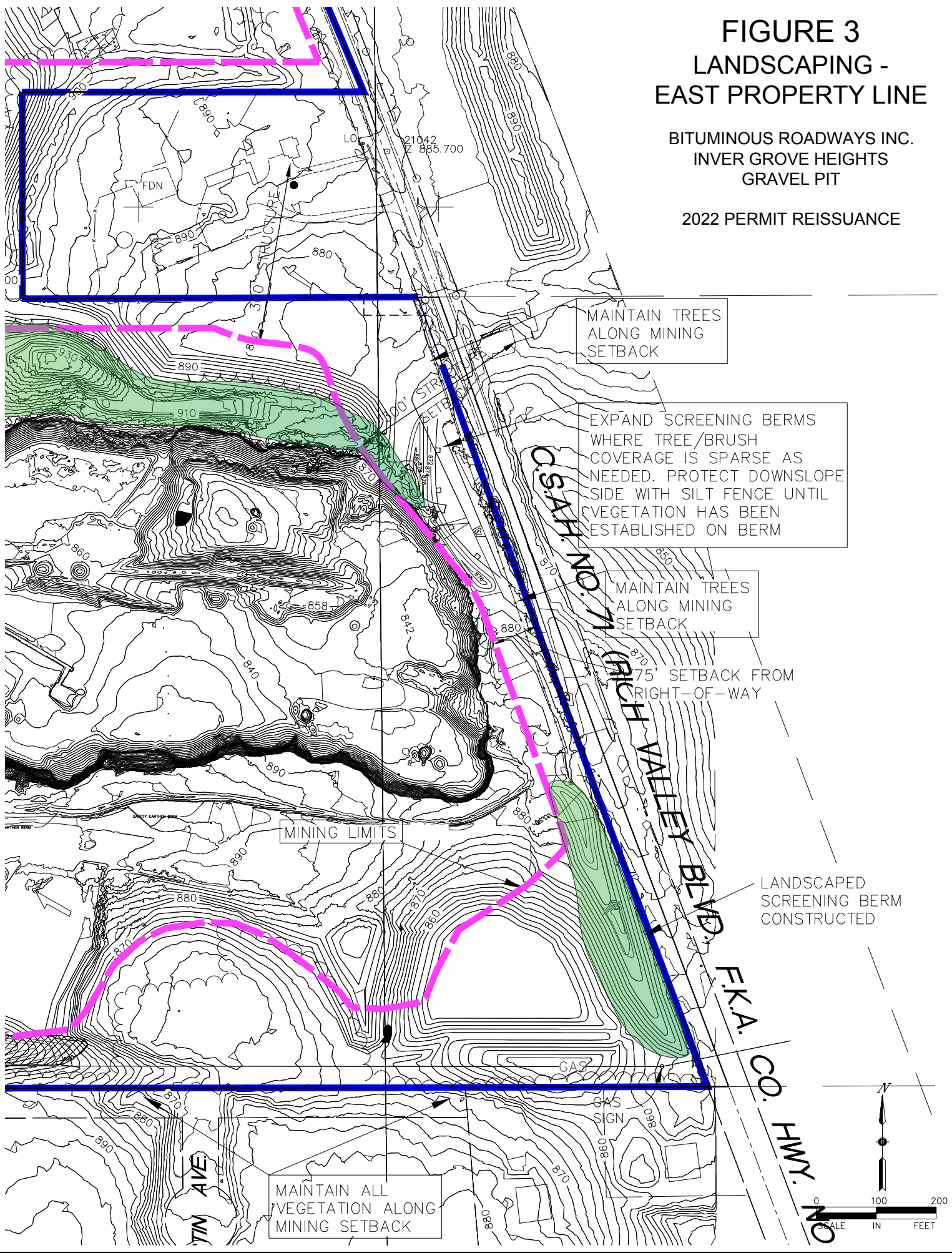
10. Stormwater Management

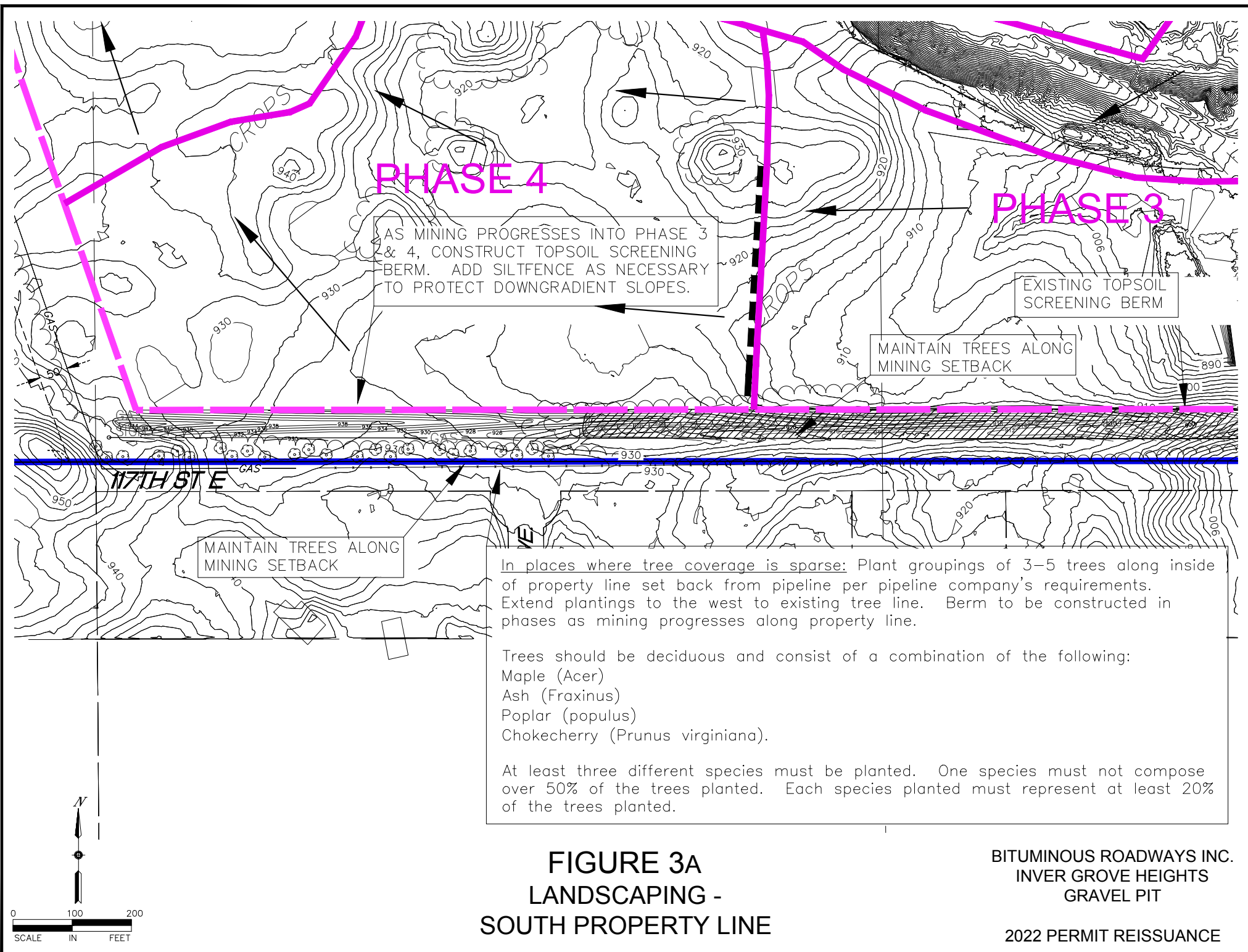
Stormwater calculations for the 2, 10, and 100 year events from pre and post mining conditions, as well as a long term yield model for the Site using precipitation data from the last thirty years to establish high water levels for the proposed future ponding areas were submitted as part of the past permitting applications. These studies are still applicable and are provided in Attachment 6.

FIGURE 3
LANDSCAPING -
EAST PROPERTY LINE

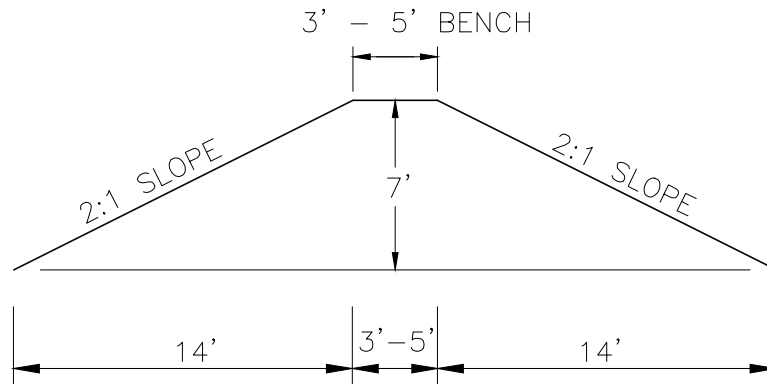
BITUMINOUS ROADWAYS INC.
INVER GROVE HEIGHTS
GRAVEL PIT

2022 PERMIT REISSUANCE





NO SCALE



SEED BERM ACCORDING TO SPECIFICATIONS:

In areas to be permanently seeded, use native seed mixture equivalent to MNDOT No. 350. Apply seed mixture at a rate of 94.7 kg per hectare (84.5 lbs per acre) in accordance with MNDOT Standard Spec. 2575. Incorporate a Type 3 fertilizer (slow release type with 10 week residual) consisting of 22-5-10 (%N-P-K) into the soil at an application rate of 392 kg per hectare (350 lbs per acre) by disking prior to seeding.

Establish native seed mix in accordance with MNDOT Standard Spec. 2575.3. Use a Truax type, or equal interseeder drill with at least two seed boxes: a small/fine seed box and a large/fluffy seed box. Drill large/fluffy seeds to a final planting depth of 10 mm (1/2 inch) to 25 mm (1 inch) deep from the large/fluffy seed box. Split the drill rates in half and make two passes over the site in order to decrease competition in drill rows. Scatter small/fine seeds over the soil surface by drop-seeding from the small/fine seed box, or broadcast. Coordinate with the seed vendor to keep the large/fluffy seeds separate from the small/fine seeds so that they may be installed from separate seed boxes. Lightly harrow or rake the site following the seeding operation. Pack the site following harrowing in order to ensure a firm seed-bed.

Comply with the requirements of MNDOT Standard Spec. Table 2575-1 for season of planting native seed mixtures. The appropriate dates for spring seeding are from April 15 through July 20. Fall seeding dates are from September 20 to October 20. Dormant seeding dates are from October 20 to November 15. Dormant seeding will only be allowed if the maximum soil temperature at a depth of 25 mm (1 inch) does not exceed 10 degrees C (50 degrees F) in order to prevent germination.

In seeded areas with slopes equal to or flatter than 3:1, apply MNDOT Standard Spec. 3882 Type 1 mulch uniformly over the soil surface by hand or machine within 24 hours after seeding in accordance with MNDOT Standard Spec. 2575.3. Apply mulch at a rate of 4.5 metric tons per hectare (2 tons per acre). Immediately after placement, anchor all mulch material into the soil by crimping (straight disking) in a direction perpendicular to that of the overland storm water flow. Punch the mulch into the soil to a depth of 2 to 3 inches with a disk spacing of 8" or less.

FIGURE 3B SCREENING BERMS

11. Tree Preservation

The existing woods located west of the gas pipeline will not be impacted by mining or reclamation grading. Trees and vegetation within the 300 foot setback from existing structures will also remain undisturbed. Existing trees in the setback area along the southern portion of the Site have been undisturbed and provide screening of Site operations. Additional trees may be planted as the proposed topsoil screening berm along the south property line is expanded to the west in accordance with the previously approved landscaping plans (see Figures 3, 3A and 3B, Landscaping).

12. Dust Control

Dust is controlled at the Site by utilizing the existing paved Site entrance. Interior haul roads are watered as needed in order to minimize dust from vehicular travel within the Site. Screening berms are vegetated.

13. Noise Control

The Site must operate in compliance with State noise standards. Vehicles and equipment are operated with standard noise reduction features such as mufflers. Perimeter berms and operation of equipment in the recessed portion of the Site also help to reduce noise emissions from the Site.

During the original permitting phase of the southern portion of the Site, Barr Engineering modeled anticipated noise generation from the Site based on topography, equipment to be operated and location of adjacent residences or receptors. The modeling results and applicable noise standards were discussed in detail in the EAW. The noise analysis predicted that the Site will operate below noise standards established by the Minnesota Pollution Control Agency for residential areas both during stripping operations which occur at grade and during mining operations when equipment is recessed on the floor of the mining operation and the active bank provides noise mitigation.

Barr's analysis also noted that back up alarms will likely be audible at the nearest residences particularly when there is a light northern wind and little other background noise. Although the noise may be audible, it does not represent a predicted exceedance of state standards. Back up alarms are a requirement of Mining Safety and Health Administration (MSHA). Back up alarms are intentionally loud and audible and are required in order to ensure the protection of on-site workers.

In late 2018 the City of Inver Grove Heights retained Barr Engineering Company (Barr) to perform a noise assessment of the BRI Site to evaluate noise levels from BRI's

operations reaching nearby residences. Monitoring for the study was performed in August of 2018. The noise assessment included noise monitoring at the western edge of the Site and an assessment of the data. The report stated that there were no hours where noise levels were above the state residential daytime or nighttime thresholds. Barr concluded in the November 29, 2018 Technical Memorandum that "Monitoring of noise at the western edge of the Bituminous Roadways property indicates that conditions at nearby residences are likely in full compliance with state noise standards. Levels were below the state nighttime noise standards for all hours monitored. Bituminous Roadways' operation on Rich Valley Boulevard does not appear to significantly affect overall noise levels at the residences to the west as the observed cyclical daily noise pattern occurred on days both with and without Bituminous Roadways in operation." The Technical Memorandum for the Bituminous Roadways Noise Assessment, by Barr Engineering Co. dated November 29, 2018 is provided as Attachment 4 in this report.

14. Lighting

There is no lighting within the active mining area. There are a total of 12 exterior lights associated with security for the asphalt plant and contractors yard. Exterior lights are located as follows:

- 2 - Rainbow shop
- 1 - East scale house
- 3- Top of small asphalt cement tanks at plant
- 2- Top of silos at plant
- 2- Top of large asphalt cement storage tanks
- 2- Top of truck loadout scale

15. Groundwater Monitoring

In accordance with the permit, groundwater monitoring is conducted every other year at the on-Site well (known as the "Rainbow well") and at the Todd Wicker and Robert Plan properties. Monitoring of the on-site surface water ponds is also conducted every other year. The groundwater testing map is provided in Figure 4 of this report. Ground water (well) and surface water pond samples are analyzed for both diesel range organics (DRO) and gasoline range organics (GRO) and for arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, zinc, phenol, pH, electric conductivity and alkalinity. Results are submitted to the City.

The results from the last five years show that sample concentrations for both GRO and DRO in the on-site and neighboring groundwater wells are below the detection limit and reporting limit. Results from the sample concentrations of the on-site stormwater ponds

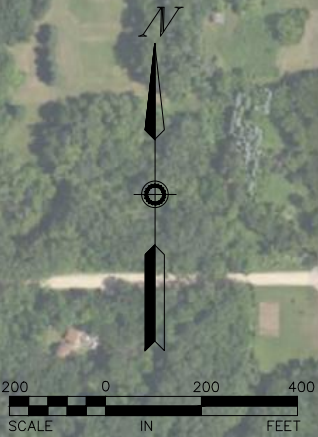
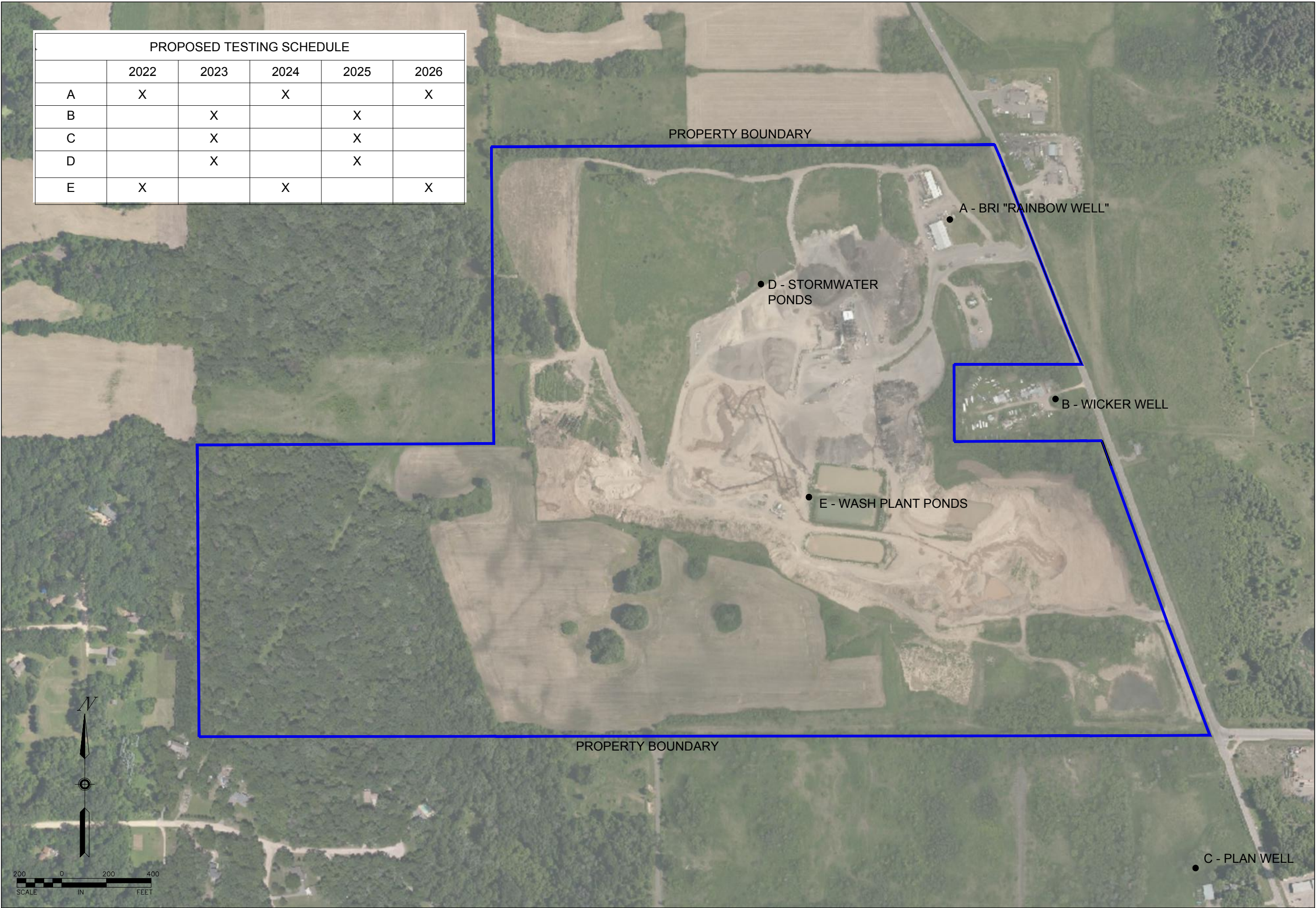
and wash plant ponds for GRO are below the detection limit and reporting limit. Results from the sample concentrations of the on-site stormwater ponds and wash plant ponds for DRO are above the reporting limit, but below the “action level”, for surface water and drinking water standards, of 1 mg/L at which point a Remedial Investigation (RI) per MPCA Guidance Document 4-01 (Petroleum Remediation Program) would be warranted. The results from all the wells and surface waters show that the concentrations of barium, cadmium, chromium, nickel, selenium, silver, zinc, and phenol were all below the Health Risk Limit (HRL) established by the Minnesota Department of Health. The sample concentrations of arsenic and mercury were below the Maximum Contaminate Level (MCL) (HRLs have not been established for arsenic or mercury), which is a federal standard for the lowest concentration at which a particular contaminant is believed to be a potential health concern. The sample concentrations for lead and copper were both below the “action level” (HRLs or MCLs have not been established for lead or copper).

An existing well associated with the farmstead on the Site has been sealed in accordance with Dakota County Ordinance No. 114 and the Minnesota Department of Health.

16. Volumes

The volume of in-place material to be removed from the Site within all of Phases 1-5 is approximately 8 million cubic yards to the current maximum excavation elevation of 840 feet above msl. Approximately 1.5 million cubic yards have been removed from the Site as part of Phase 1 mining and approximately 1.5 million cubic yards have been removed from the Site as part of Phase 2 to date. BRL is requesting to increase the mining depth by about 40 feet to elevation 800 feet above msl for the remaining mining phases. The volume of additional in-place material is approximately 3.4 million cubic yards from elevations 840-800 feet above msl. The total lifetime volume of in-place material would increase to about 11.4 million cubic yards. The life expectancy of the Site will depend upon the future economy and aggregate demand in the metropolitan area. Reports by the Metropolitan Council, Minnesota Geologic Survey and Minnesota Department of Natural Resources indicate that the supply of aggregate materials in the metropolitan area is rapidly being depleted. However, the vitality of the economy and the construction industry impact market demand which varies from year to year. With the additional 40 feet of mining depth, the remaining mining life of this Site is estimated to be approximately 30 years.

PROPOSED TESTING SCHEDULE					
	2022	2023	2024	2025	2026
A	X		X		X
B		X		X	
C		X		X	
D		X		X	
E	X		X		X



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2017 PERMIT
REISSUANCE

DATE	REVISION
10/16/17	Add Wash Plant Pond to Testing Schedule
08/05/22	2022-2026 SCHEDULE

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Kirsten Pauly
Kirsten Pauly
DATE: 08/05/22 REG. NO.: 21842

INFORMATION:	
PROJECT NO.:	87-185
DRAWN BY:	mw
CHECKED BY:	kp
APPROVED BY:	kp
SCALE:	graphic
DATE:	09/05/17

DESCRIPTION:

WATER TESTING
MAP

SHEET NO.

FIGURE 4

17. Permits

In addition to the local permits required by the City of Inver Grove Heights, which include the Conditional Use Permit and Land Alteration Permit, the Site must operate in compliance with other state and federal regulations. The Site operates under a NPDES Stormwater Permit and Air Emissions Permit issued by the MPCA, a Minnesota DNR Water Appropriations Permit, a Dakota County Hazardous Waste Generators License and Processing License, and a MPCA Permit for Storage of Liquid Substances at a Major Aboveground Storage Tank Facility

All reports which are required to be submitted to the MN DNR for the Water Appropriations Permit including annual water usage report, Dakota County for the Hazardous Waste Generators License and the Processing License, and the MPCA, including annual emissions inventory report, semi-annual deviations report, annual compliance certification report, and annual report will also be submitted to the City. The Site also operates under a Spill Prevention Control and Countermeasures (SPCC) Plan. The SPCC Plan documents practices, personnel, equipment, and resources available to prevent a spill and what actions to take if a spill were to occur.

IV. RECLAMATION

1. Phasing

Reclamation is conducted in phases at the Site. As portions of the mining area are completed, the areas are backfilled, graded, topsoil applied and vegetation established. During the past five year permit period, substantial reclamation activity has been completed in the northern portion of the Site. The Reclamation Plan, Sheet C-6 illustrates the reclamation grades that will be established at the Site upon conclusion of mining. The Phasing Plan, Sheet C-2 illustrates areas where reclamation has been completed. Reclamation activities will leave the Site in a state that will prepare it for final development.

2. Grades and Backfill Material

Areas within the northern portion of the Site have been backfilled, sloped and vegetated. Reclamation activities will continue in areas where mining has been completed. Reclamation activities in these areas will include continued backfilling and sloping.

Along the perimeter of the excavation limits, backfilling will be required to achieve a maximum 4:1 final slope previously approved by the City of Inver Grove Heights. The processing and stockpile area will remain open and active. Reclamation grades for the southern portion of the Site will be graded to a maximum slope of 10:1 as indicated on the Reclamation Plan, Sheet C-6.

Backfill Material:

Clean backfill material will be brought to the Site from local construction projects to be used for establishment of reclamation grades. The majority of materials will be from BRI construction projects. Backfill material may also include on-site excess mining materials unsuitable for sale or use in asphalt mix. All backfill material used in reclamation activities will be clean, compactable, natural earthen material free of debris or contamination.

As recommended in the Barr Technical Review, backfill material will consist of only non-organic compactable soil material that is free of contamination, recycled or salvaged aggregate, asphaltic pavement, crushed concrete, scraps of shingles, debris, rubbish, frozen soil, boulders over 1-inch in diameter, logs, wood chips or other objectionable material. Contaminated soil will not be used as fill or brought to the site. Soils will not be allowed to be imported for reclamation backfilling if the source of imported fill is from a location where soil contamination is known, suspected, or can be expected (e.g., soils from gas stations, certain industrial sites, etc.).

BRI will maintain a manifest from each off-site soil source indicating where soils are imported from. The manifest will include a statement that no contaminants are suspected to be in the soil material, information regarding location of where the soils are placed on Site, and an approximate volume of material imported. Records will be maintained by BRI and made available to the City upon request.

If site grading is performed during cold weather, all snow and ice will be removed from cut and fill areas prior to additional grading. No fill will be placed on frozen subgrades. No frozen soils will be used as fill.

3. Topsoil

Topsoil capable of establishing and supporting vegetation, will be placed as areas are reclaimed. Topsoil will be replaced to a minimum depth of six inches. Backfilled and graded areas will be seeded and mulched to establish vegetation, stabilize slopes and minimize erosion.

4. Removal of buildings

Within three months after completion of the sand and gravel mining operation any buildings or structures which have been established on the Site as an accessory to the mining operation will be removed. Permanent structures which conform to the permanent zoning district requirements in which they are located, may remain on-site.

5. Bond

A reclamation bond has been posted with the City of Inver Grove Heights to ensure that the Site is properly reclaimed upon completion of mining activity. Final use of the property will be consistent with the zoning and subdivision ordinances in effect at the time of final development. According to the City of Inver Grove Heights 2040 Comprehensive Plan dated October 2019 the current land uses are Industrial and Vacant/Agricultural with a sand and gravel overlay and the future land use is designated Rural Density Residential. It is possible that this area will be serviced by sanitary sewer at the time of final development. Even if this area is not within the Metropolitan Urban Service Area (MUSA) at the time of final development, previous drain field design and percolation testing within Inver Grove Heights have shown that septic systems and drain fields can be properly designed in areas previously disturbed by grading and earth moving activities in areas with permeable sand and gravel soils. Another option would be to provide a community drain field design in an undisturbed portion of the Site. In this situation, individual septic tanks could be pumped up to a larger drain field serving all of the residential uses on the Site.

V. PLAN SET

Operations are described in detail within this report. The following plans have been prepared which help to illustrate the Site operations.

1. 2021 Aerial: A-1

2. Existing Conditions: C-1

This plan illustrates pertinent Site features including the Site boundary, existing topography, utilities, easements, wooded areas, and existing on-Site and adjacent buildings.

3. Phasing Plan: C-2

The Phasing Plan illustrates the sequence of mining and reclamation activities which are proposed to occur on the Site.

4. Cross-Sections: C-3, C-4, C-5

Cross Sections have been prepared for the Site and are included as Figures C-3, C-4 and C-5. These cross sections illustrate the existing elevation, proposed reclamation grades, depth of topsoil, maximum mining elevation and extent of sand and gravel deposit on Site.

5. Reclamation Plan: C-6

This plan illustrates the end use grades for the Site, limits of mining, and setbacks. Final grades have been designed at a maximum 10:1 slope for the southern portion of the Site and a maximum 4:1 slope as previously approved for the northern portion of the Site.



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Kirsten Pauly

INFORMATION:

PROJECT NO.: 87-185

DRAWN BY: mw

CHECKED BY: kp

APPROVED BY: kp

SCALE: graphic

DATE: 08/05/2022

DESCRIPTION:

2021 AERIAL

SHEET NO: _____

A-1



TOPOGRAPHY IN THE CENTRAL PORTION
OF SITE FROM DRONE SURVEY BY USA
DRONE, DATED 12/20/22.

TOPOGRAPHY OF THE NORTHERN AND
SOUTHERN PORTION OF SITE FROM 2016
LIDAR DATA.

BOUNDARY INFORMATION FROM SUNDE
LAND SURVEYING, LLC.

MINNESOTA NORTHERN
NATURAL GAS COMPANY
12" PIPELINE.
APPROXIMATE LOCATION
ONLY. FIELD VERIFY.

PROPERTY
BOUNDARY

MINING LIMITS
50' SETBACK
FROM PIPELINE

APPROXIMATE
EDGE-OF-TREES

APPROXIMATE
EDGE-OF-TREES

APPROXIMATE
LOCATION OF
EXISTING TREES

WASHPLANT
OPERATIONS AREA

HIGH
CAPACITY
WELL

APPROXIMATE
LOCATION OF
EXISTING TREES

EXISTING TOPSOIL
SCREENING BERM

LOW AREAS ARE NOT
JURISDICTIONAL WETLANDS
PER WETLAND REPORT BY
SEH DATED MAY 20, 2002.

PLAN WELL

EARTHEN
SAFETY BERM

SLOPED AND VEGETATED

STORMWATER
PONDS

SLOPED AND VEGETATED

EXISTING TOPSOIL
SCREENING BERM
(Approx. 40,000 CY)

ASPHALT CEMENT
TANK STORAGE AREA

METAL BUILDING
SALT STORAGE

"RAINBOW WELL"

EXISTING
DRAINFIELD AND
SEPTIC TANK

PRIMARY
SITE ACCESS

SLOPED AND VEGETATED

BRI WELL

ASPHALT TESTING
BUILDING

EXISTING DRAINFIELD
AND SEPTIC TANK

ASPHALT PLANT
OPERATIONS AREA

WICKER WELL

EXISTING TOPSOIL
SCREENING BERM

WASHPLANT
SUPPLY PONDS

CURRENT CONVEYOR
PLACEMENT FOR
MINING SAND/ROCK

SECONDARY
SITE ACCESS

EXISTING TOPSOIL
SCREENING BERM

ACTIVE
MINING

CSA#1 NO. 1 (ROCK VALLEY BLD. FKA CO. HWY. NO. 5)

SAFETY FENCE

17TH ST EAST

17TH ST EAST

AUSTIN AVE

ARNOLD AVE

N

200 0 200 400
SCALE IN FEET



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OF THE STATE OF MINNESOTA.

Kirsten Pauly
Kirsten Pauly
DATE: 8/5/2022 REG. NO.: 21842

INFORMATION:

PROJECT NO.: 87-185

DRAWN BY: mw

CHECKED BY: kp

APPROVED BY: kp

SCALE: graphic

DATE: 08/05/2022

DESCRIPTION:

EXISTING
CONDITIONS

SHEET NO.

C-1

TOPOGRAPHY IN THE CENTRAL PORTION OF SITE FROM DRONE SURVEY BY USA DRONE, DATED 12/20/22.

TOPOGRAPHY OF THE NORTHERN AND SOUTHERN PORTION OF SITE FROM 2016 LIDAR DATA.

BOUNDARY INFORMATION FROM SUNDE LAND SURVEYING, LLC.

MINNESOTA NORTHERN NATURAL GAS COMPANY 12" PIPELINE. APPROXIMATE LOCATION ONLY. FIELD VERIFY.

WOODED AREA. NO AGRICULTURAL RUNOFF. NO DIVERSION BERM NEEDED.

DIVERSION BERM

SLOPED AND VEGETATED

STORMWATER PONDING AREA

SLOPED AND VEGETATED

METAL BUILDING SALT STORAGE

"RAINBOW WELL" ACTIVE

PRIMARY ACCESS

SLOPED AND VEGETATED

BRI WELL ACTIVE

ASPHALT PLANT OPERATIONS AREA

SWICKER WELL

N LINE OF NW 1/4 OF SW 1/4 OF SEC. 33, T. 27, R. 22

ROAD LOCATION TAKEN FROM 80018028.DWG BASED ON OLD SECTION BREAKDOWN. ROAD LOCATION NEEDS TO BE VERIFIED.

SECONDARY ACCESS

33

S LINE OF NW 1/4 OF SW 1/4 OF SEC. 33

LOW AREAS ARE NOT JURISDICTIONAL WETLANDS PER WETLAND REPORT BY SEH DATED MAY 20, 2002.

PLAN WELL ACTIVE

PHASE 5

IN-PLACE MATERIAL VOLUME = ±2,133,000 CY*

PHASE 1

PHASE 4

IN-PLACE MATERIAL VOLUME = ±3,181,000 CY*

PHASE 3

IN-PLACE MATERIAL VOLUME = ±1,833,000 CY*

PHASE 2

IN-PLACE MATERIAL VOLUME = ±2,964,000 CY*

RECLAIMED AREA

RECLAIMED AREA

RECLAIMED AREA

RECLAIMED AREA

MINING LIMITS

DIVERSION BERM

DIVERSION SWALE

WASHPLANT LOCATION

HIGH CAPACITY WELL

PLAN WELL ACTIVE



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Kirsten Pauly
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INFORMATION:

PROJECT NO.: 87-185

DRAWN BY: mw

CHECKED BY: kp

APPROVED BY: kp

SCALE: graphic

DATE: 08/05/2022

DESCRIPTION:

PHASING PLAN

SHEET NO.

C-2



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Kirsten Pauly
DATE: 8/5/2022 REG. NO.: 2184

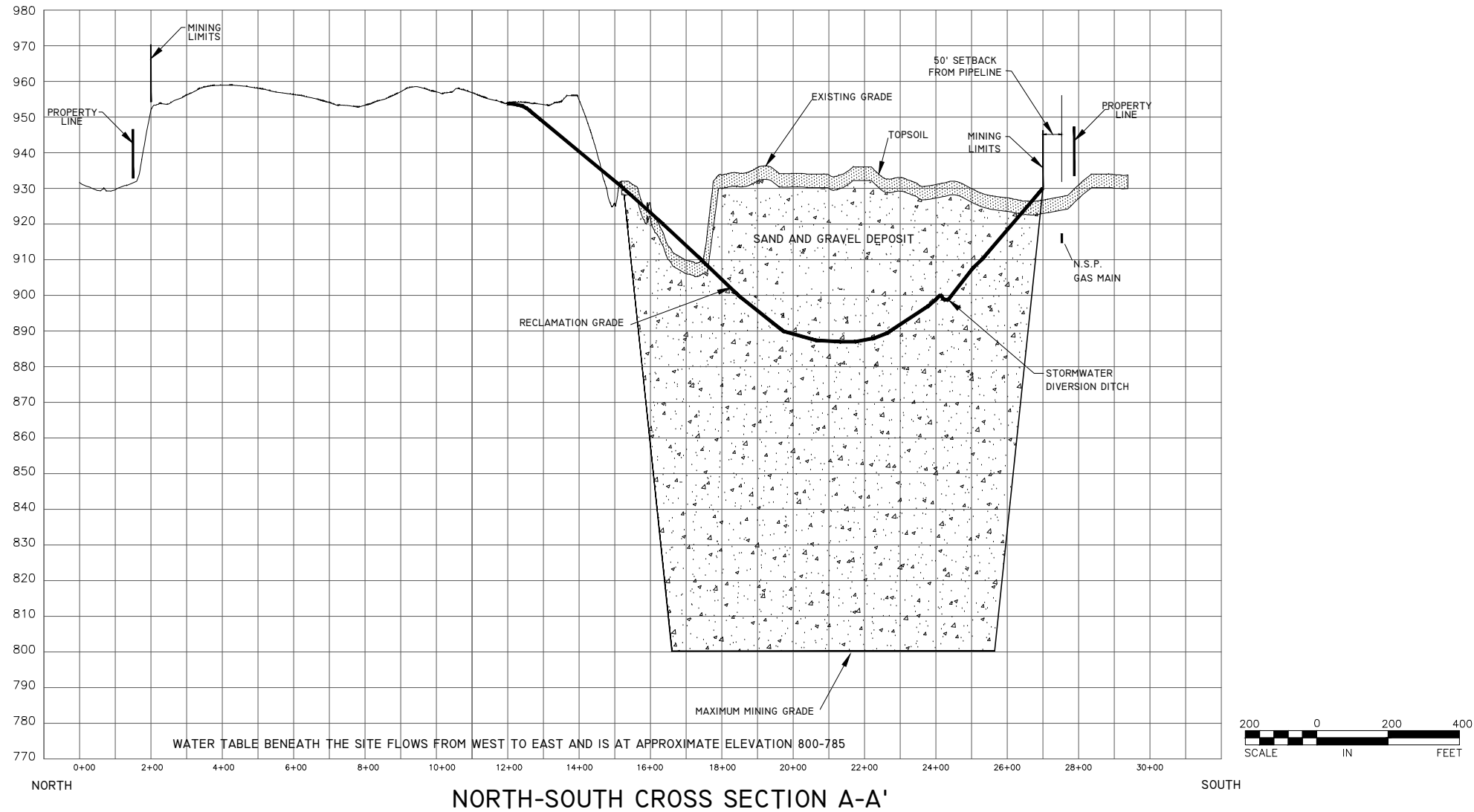
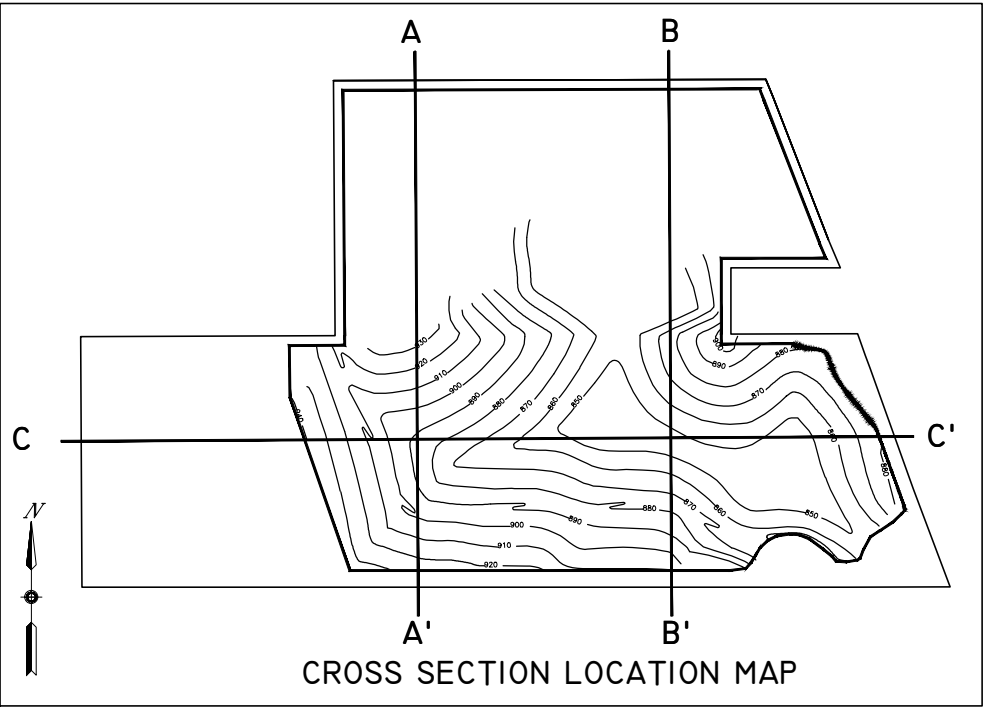
INFORMATION:	
PROJECT NO.:	87-185
DRAWN BY:	mw
CHECKED BY:	kp
APPROVED BY:	kp
SCALE:	graphic
DATE:	08/05/2022

DESCRIPTION:

CROSS SECTION
A-A'

SHEET NO: _____

C-3





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Kirsten Pauly
DATE: 8/5/2022 REG. NO.: 21842

INFORMATION:

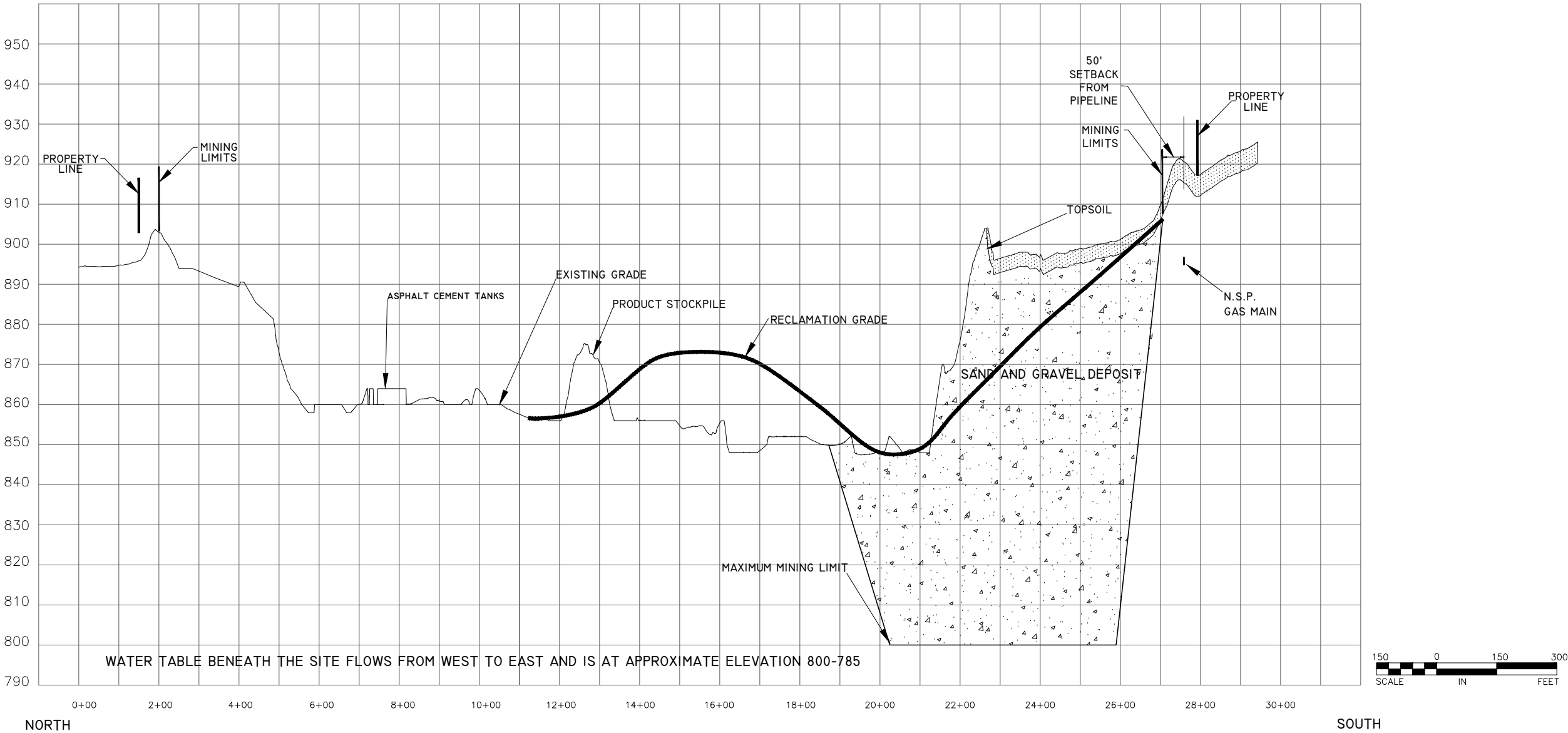
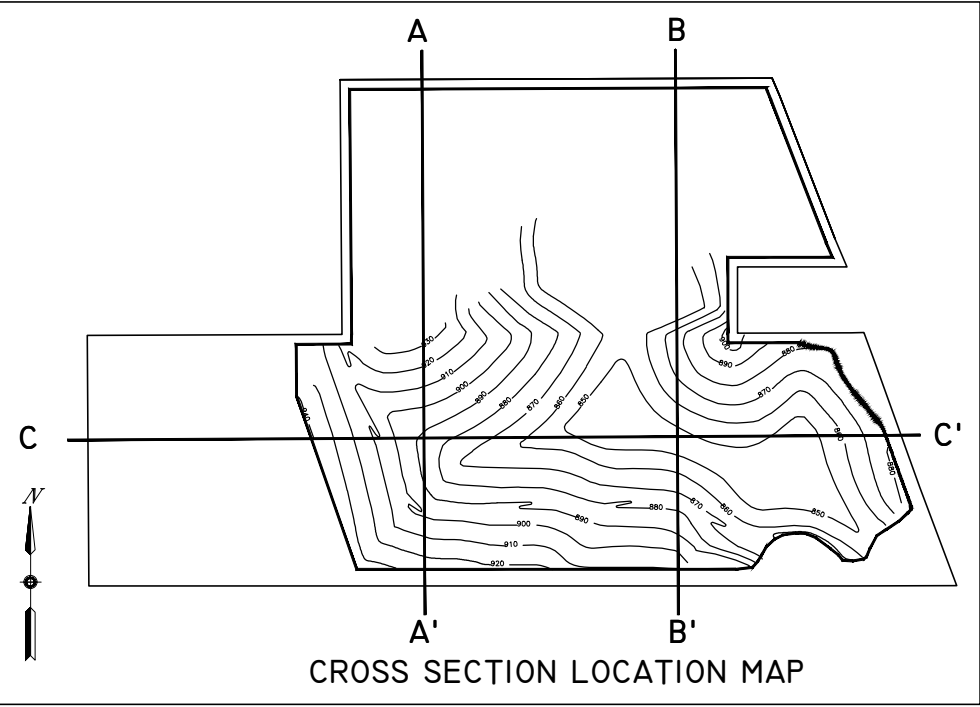
PROJECT NO.:	87-185
DRAWN BY:	mw
CHECKED BY:	kp
APPROVED BY:	kp
SCALE:	graphic
DATE:	08/05/2022

DESCRIPTION:

CROSS SECTION
B-B'

SHEET NO:

C-4





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Kirsten Pauly
Kirsten Pauly
DATE: 8/5/2022 REG. NO.: 2184

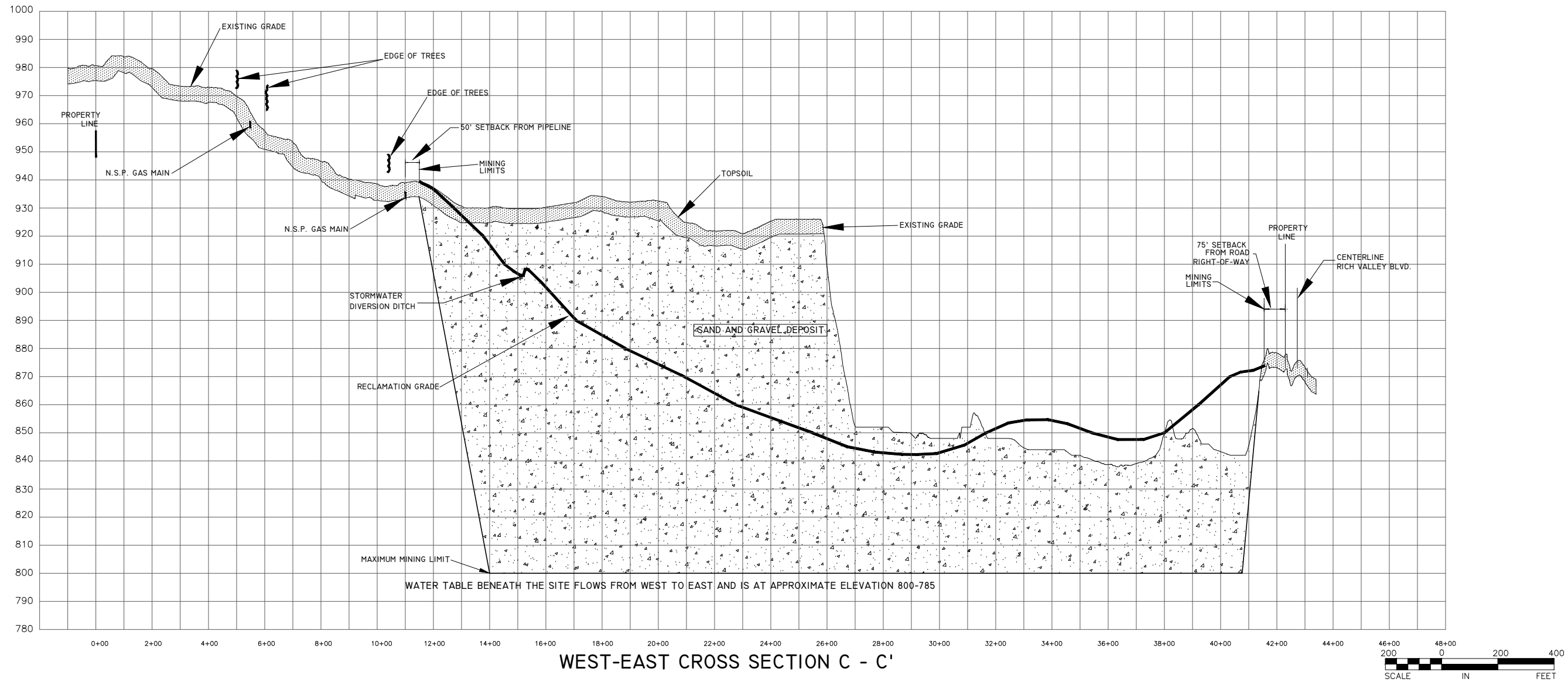
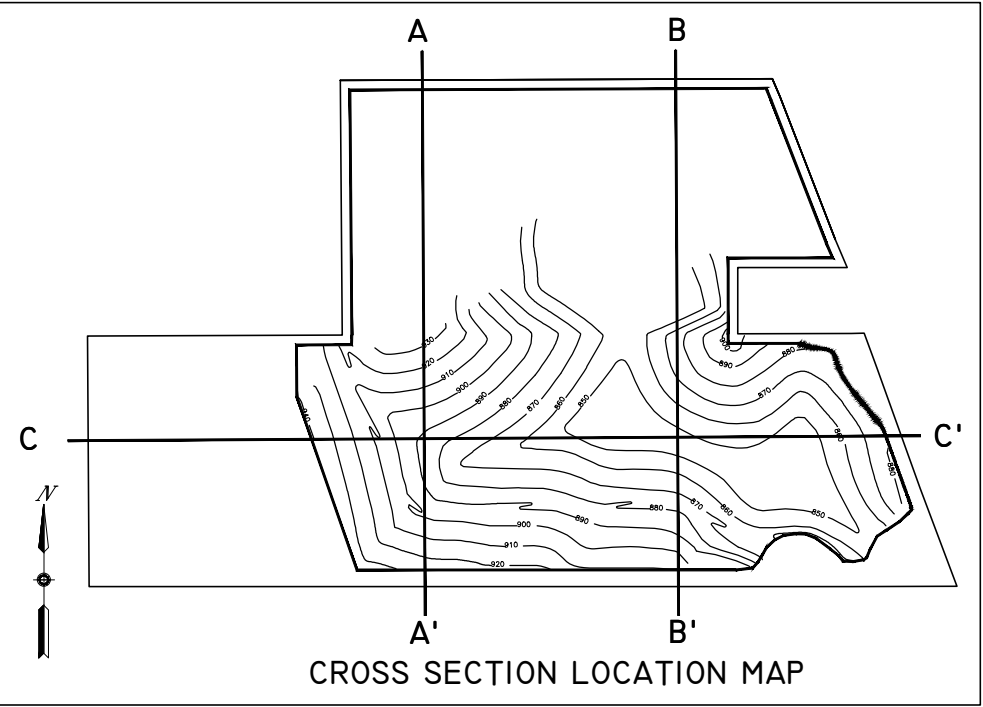
INFORMATION:	
PROJECT NO.:	87-185
DRAWN BY:	mw
CHECKED BY:	kp
APPROVED BY:	kp
SCALE:	graphic
DATE:	08/05/2022

DESCRIPTION:

CROSS SECTION
C-C'

SHEET NO: _____

C-5





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Kirsten Pauly
DATE: 8/5/2022 REG. NO.: 284

INFORMATION:	
PROJECT NO.:	87-185
DRAWN BY:	mw
CHECKED BY:	kp
APPROVED BY:	kp
SCALE:	graphic
DATE:	08/05/2022
DESCRIPTION:	

RECLAMATION PLAN

SHEET NO: _____

C-6

NOTES:

1. Topography in the central portion of site from drone survey by USA Drone, dated 12/20/22.
2. Topography of the northern and southern portion of site from 2016 LIDAR data.
3. Boundary information from Sunde Land Surveying, LLC.
4. Reclamation
Grades: Reclamation grading will consist of backfilling and grading excavated areas with spoil materials unsuitable for sale or use in asphalt mix. Clean soil fill may also be brought to the site to be used for establishment of reclamation grades. All backfill used in reclamation activities is clean fill and natural earthen material free of debris or contamination.

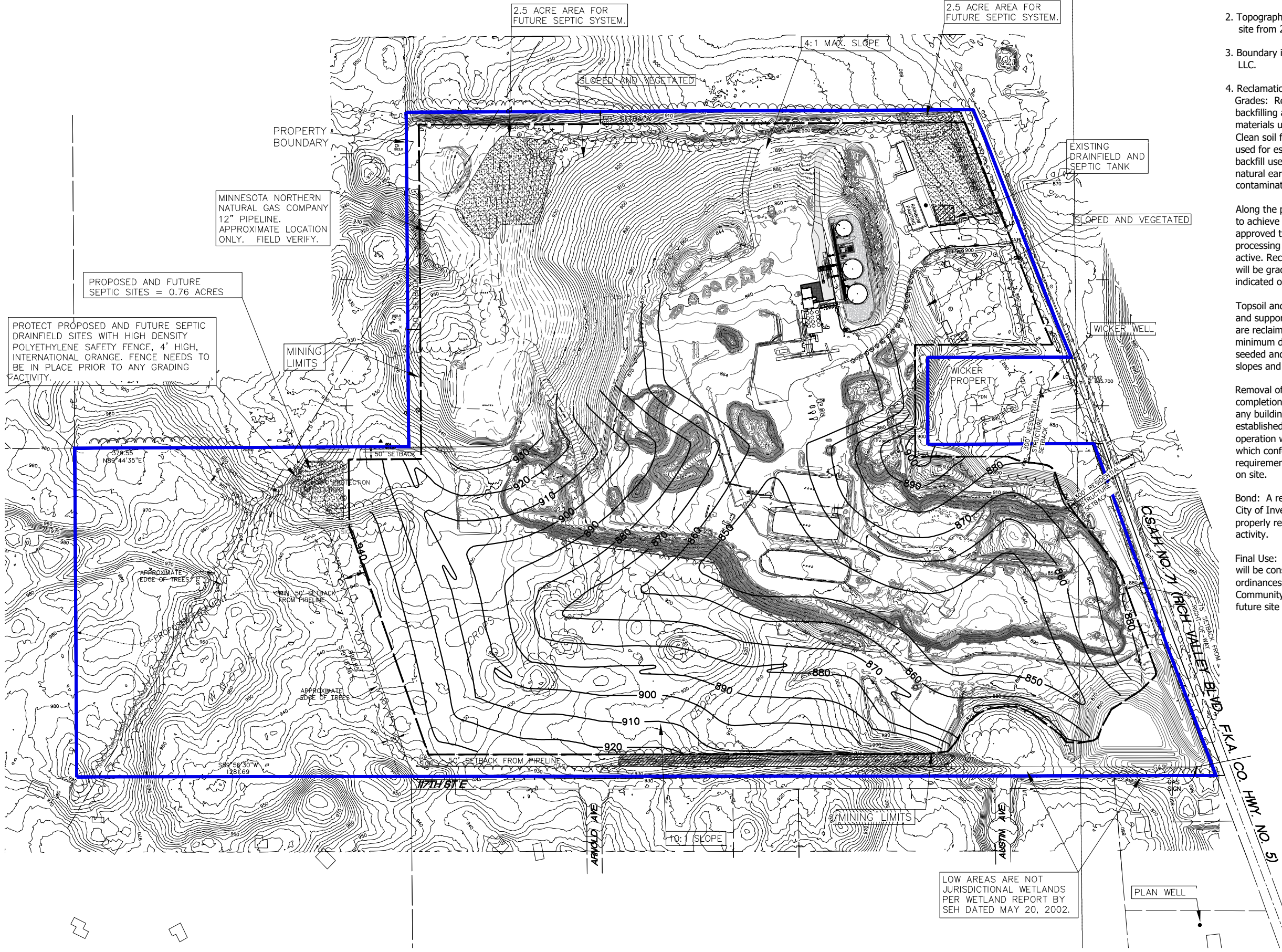
Along the perimeter areas, backfilling will be required to achieve the final slopes that were previously approved the City of Inver Grove Heights. The processing and stockpile area will remain open and active. Reclamation grades for the southern portion will be graded to a maximum slope of 10:1 as indicated on the Reclamation Plan.

Topsoil and Seeding: Topsoil capable of establishing and supporting vegetation, will be placed as areas are reclaimed. Topsoils will be replaced to a minimum depth of 6 inches. Reclaimed areas will be seeded and mulched to establish vegetation, stabilize slopes and minimize erosion.

Removal of Buildings: Within three months after completion of the sand and gravel mining operation any buildings or structures which have been established on the site as an accessory to the mining operation will be removed. Permanent structures which conform to the permanent zoning district requirements in which they are located, may remain on site.

Bond: A reclamation bond has been posted with the City of Inver Grove Heights to insure that the site is properly reclaimed upon completion of mining activity.

Final Use: Final use of the property upon reclamation will be consistent with the zoning and subdivision ordinances in effect at the time of final development. Community septic systems may be constructed in the future site development.



T. , R. , S. DRAWING: \\kirstensoldpc\DWG\Bituminous Roadways IGH\2022 Permit Reissuance\C-6 Reclamation Plan.dwg LAYOUT: C6 XREF: USA Drone Topo; XREF: 2022 basemap surface contours; XREF: 2000005A001-ESMT_05162011

Technical Memorandum

To: Ally Sutherland and Allan Hunting
From: Ray Wuolo, Senior Hydrogeologist and Jeff Ubl, P.E.
Subject: Bituminous Roadways, Inc. (BRI) – Environmental Review of Proposed Expansion
Date: September 29, 2022
Project: 2319-0218

This memorandum provides Barr Engineering Co.'s (Barr's) review of potential environmental-related impacts from BRI's proposed expansion of their sand and gravel mining operation located on Rich Valley Boulevard.

Proposed Expansion

Barr's understanding of the proposed BRI sand and gravel expansion is based on:

- The Conditional Use Permit (CUP) application and seven-sheet plan set both dated August 5, 2022, and prepared by Sunde Engineering, PLLC (Sunde) and,
- The September 22, 2022, virtual meeting with BRI, Sunde, City staff

From this information we understand:

- The proposed mining depth will increase by 40 feet from elevation 840-feet to elevation 800-feet
- The water-table aquifer beneath the site flows generally from west to east at an elevation between 800 to 745-feet
- The proposed expansion will increase the life of the mine by approximately 10 years
- The same equipment currently in use at the mine will continue to be used for the expansion with no increase in equipment number, size, or type
- The mining rate will remain the same for the expansion, including the frequency of truck trips to and from the operation
- The proposed mine operating aerial footprint will not increase for the proposed expansion
- The location and quantity of fuel, asphalt cement, and other chemical storage will not change from the current operation
- Backfilling of the mine is expected to consist of excess sand from the operation and clean soil from off-site BRI construction projects
- Per Minnesota Rules 4410.4300, subpart 12 the proposed expansion does not trigger a mandatory Environmental Assessment Worksheet
- After mining operations are complete, topsoil will be placed over the site and the area vegetated; end use will include agriculture and potentially residential lots

To: Ally Sutherland and Allan Hunting
From: Ray Wuolo, Senior Hydrogeologist and Jeff Ubl, P.E.

Subject: Bituminous Roadways, Inc. (BRI) – Environmental Review of Proposed Expansion
Date: September 29, 2022
Page: 2

Review of Potential Environmental Impacts

Barr reviewed the proposed expansion for potential negative impacts relating to air quality, groundwater quality and quantity, surface water quality, and noise. A discussion on each of these topics is provided below.

Air Quality

Because the proposed expansion will not increase the rate of mining, the type or quantity of equipment used, or the number of truck trips to and from the site, we believe that air quality impacts will not change from the current operation.

Groundwater Quality

Groundwater quality monitoring is conducted every-other-year at the onsite well (Rainbow well) and at the Todd Wicker and Robert Plan property wells for diesel and organics (DRO) and gasoline range organics (GRO) and for arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, zinc, phenol, pH, conductivity, and alkalinity. Results are submitted to the City and City staff indicate they have no concerns with the reported results.

It is not expected that groundwater quality would be negatively impacted by the expanded sand and gravel extraction operation. However, the subsequent soil backfilling should use only clean soil. The soil backfill material will be in very close proximity to groundwater and the 40 feet of unsaturated sand and gravel that currently is present above the water table will be removed. While this decreased thickness in the unsaturated zone should not change groundwater flow directions or rates, it will result in the water-table aquifer to be slightly more vulnerable to leaks, spills, or potential contamination in the backfill soil, compared to current conditions, because there will be less time between the discovery of a leak or spill and the ability to respond to it before the leak or spill reaches the water table and less unsaturated sand and gravel to naturally attenuate or adsorb potential contamination.

Groundwater Quantity

Because dewatering will not be needed to extract the sand and gravel for the proposed expansion, it is not expected that groundwater quantity of nearby wells will be negatively impacted.

Surface Water Quality

Surface water quality monitoring is conducted every-other-year at the site ponds for diesel and organics (DRO) and gasoline range organics (GRO) and for arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, zinc, phenol, pH, conductivity, and alkalinity. Results are submitted to the City and City staff indicate they have no concerns with the reported results.

Because the proposed expansion would increase the depth of mining it is understood that surface water runoff would continue to be contained at the site during the life of the mine. It is also understood that

To: Ally Sutherland and Allan Hunting
From: Ray Wuolo, Senior Hydrogeologist and Jeff Ubl, P.E.

Subject: Bituminous Roadways, Inc. (BRI) – Environmental Review of Proposed Expansion

Date: September 29, 2022

Page: 3

storage of fuel, asphalt cement, and other chemicals would continue at the same location and at the same quantities as the current operation.

After mining is complete and the mine backfilled, surface water is proposed to be contained on site in the same manner as the plan for the current operation. Therefore, we do not foresee any negative impacts to surface water quality from the proposed expansion but recommend that BRI review and update its Spill Prevention, Control, and Countermeasure (SPCC) Plan as appropriate.

Noise

Barr was retained by the City to perform a noise assessment on the western edge of BRI's operation in 2018. Barr's assessment concluded that conditions at nearby residences was likely in full compliance with state noise standards.

Because the proposed expansion will not increase the rate of mining, the type or number of equipment used, or the number of truck trips to and from the site, we do not believe there will be any negative noise impacts from the proposed expansion.

Conclusions and Recommendations

Barr recommends that the City's CUP contain requirements for soil backfilling and the SPCC plan as described below.

For soil backfill material, Barr recommends only non-organic compactable soil material be used that is free of contamination, recycled or salvaged aggregate, asphaltic pavement, crushed concrete, scraps of shingles, debris, rubbish, frozen soil, boulders over 1-inch in diameter, logs, wood chips or other objectionable material. Backfill soil should be free of stumps, roots, and branches over 1.5- inches in diameter .

Backfill soils should not be placed over frozen subgrade.

Contaminated soil should not be used as fill or brought to the site. If the source of imported fill will be from a location where soil contamination is known, suspected, or can be expected (e.g., soils from gas stations, certain industrial sites, etc.), that soil should not be used for backfilling. Therefore, it is further recommended that offsite backfill soil come from only BRI projects and include a manifest from each site indicating that no contaminants are suspected to be in the soil material. A copy of the manifest could be submitted to the City.

Barr recommends that BRI review and amend the SPCC Plan as appropriate and submit a copy to the City. The SPCC Plan should document practices, personnel, equipment, and resources available to prevent a spill and what actions to take if a spill were to occur.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. 1343

AN ORDINANCE AMENDING TITLE 10, CHAPTER 4 OF THE INVER GROVE
HEIGHTS CITY CODE

CASE NO. 12-17CZA

The City Council of Inver Grove Heights ordains as follows:

SECTION I. Ordinance No. 1037 adopted July 8, 2002, entitled, "AN ORDINANCE AMENDING, RESTATING, AND RECODIFYING SECTIONS 405, 425, 515, 505, 516, 517, 518, 519, 520, 525, 535, 540, 545, 546, AND 550 OF THE INVER GROVE HEIGHTS CITY CODE" being also known as the City Zoning Ordinance is hereby amended to rezone to Temporary Sand and Gravel (S & G) for a period of five (5) years to following described property located within the City of Inver Grove Heights, Minnesota, to wit:

That part of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 32, Township 27, Range 22, lying westerly of Rich Valley Boulevard; except that part described as follows: Commencing at the SE corner of said S $\frac{1}{2}$ NE $\frac{1}{4}$; thence west along the south line thereof, a distance of 592.43 feet; thence north 344.9 feet; thence east 570 feet to the centerline of Rich Valley Boulevard; thence southeasterly along said centerline, a distance of 67 feet to the east line of said S $\frac{1}{2}$ NE $\frac{1}{4}$; thence south 281.85 feet to the point of beginning. Part of PID # 20-03200-011-05, and

The Northeast Quarter of the Southwest Quarter and the North One-Half of the Southeast Quarter, Section 32, Township 27, Range 22, and all of that tract of land lying West of Highway 5 in the Northwest Quarter of

the Southwest Quarter , Section 33, Township 27, Range 22; subject to an easement to Minnesota Northern Natural Gas Company, as described in Deed recorded in Book 193 of Deeds, page 374. PID No. 20-03200-010-75, 20-03200-020-50.

SECTION II. The Zoning Map of the City of Inver Grove Heights referred to and described in said Ordinance No. 1037 as that certain map entitled "Inver Grove Heights Zoning Map, June 24, 2002," shall not be republished to show the aforesaid rezoning, but the Clerk shall appropriately mark the said zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance and all of the notations, references and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

SECTION III. This Ordinance shall be in full force and effect from and after its publication according to law, and shall be subject to the following conditions:

1. The Temporary Sand and Gravel (S&G) Zoning shall remain in place on the property for a period of five (5) years to expire on (council approval date), 2022.
2. The operation of the sand and gravel operation approved herein shall comply with all provisions of Inver Grove Heights City Code, Title 10-13G, Sand and Gravel Overlay District, except as specifically modified herein.
3. The following plans, on file with the Planning Division, shall constitute the "approved plans" referenced therein:
 - Existing conditions dated 8/18/17
 - Phasing Plan dated 8/18/17
 - Final Land Use Plan dated 4/25/02
 - Cross Section Plans (3 sheets) dated 8/18/17
 - Reclamation Plan dated 8/18/17
 - Landscaping Plan - east property line dated 2017
 - Landscape Plan - south property line dated 2017
 - Water Testing Map - dated 9/5/17

All aspects of the operation of the site shall comply with the approved plans.

4. The location of the asphalt plant shall remain in its existing position and shall not be relocated unless this sand and gravel ordinance is amended.
5. "Operation" as it relates to hours of operation, shall include, but is not limited to, all mining and grading operations, washing, the operation of

the asphalt plant on the site, and movement of vehicles and equipment in and out of the site. Hours of operation on the site shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday, except hours of operation may begin at 6:00 a.m. Monday - Saturday for internal operations only, including start up of the asphalt plant and allowing BRI owned vehicles that were parked overnight to exit the site. The crushing of concrete which shall be regulated by Condition #7. The asphalt plant shall be allowed to operate a maximum of 30 night shifts (7:00 p.m. to 7:00 a.m.) during the construction season each year. Bituminous Roadways shall provide the city with written notice prior to each event, including confirmation of contact with the nearest neighbor so a record can be kept to monitor total hours used each season.

6. Crushing of concrete on site shall be permitted provided the following conditions are met:
 1. All crushing operations shall be conducted in the current location in the existing site.
 2. The stockpile of concrete to be crushed and the stockpile of already crushed concrete shall not in the aggregate exceed a total of 50,000 cubic yards.
 3. The height of the stockpiles shall not exceed 25 feet.
4. Crushing shall occur on not more than 12 weeks during the calendar year. No crushing shall occur on Sunday; crushing shall only occur between the hours of 7:00 a.m. and 7:00 p.m. Monday - Friday and 9:00 a.m. to 6:00 p.m., Saturday.
7. Bituminous Roadways may temporarily store Manufactured Organic Shingle Scrap (MOSS) in open storage areas provided the areas in the aggregate do not exceed one (1) acre in size and provided the location and storage configuration is approved by the Fire Marshal and Director of Community Development. MOSS storage areas may be relocated as operations on the site change subject to the approval of the Fire Marshal and the Director of Community Development. The City may impose reasonable conditions relating to dust control, fire prevention and size, height and configuration of the storage piles.
8. The final disposal of MOSS on the site shall be prohibited.
9. As part of the approval granted herein, the applicant may use used concrete and asphalt products as a part of the operation. Stockpiling area for these materials shall be as noted on the approved plans.

10. Bituminous Roadways shall prohibit all drivers of trucks from using Rich Valley Boulevard north of Cliff Road except in those instances where materials are being taken to a project located within the City's regulatory authority. Bituminous Roadways shall post an advisory to all drivers to the same effect at exits from the site.
11. The site shall be kept clear, at all times, of windblown debris.
12. The foundry sand in the southeast berm shall be left undisturbed.
13. Bituminous Roadways shall bring no additional foundry sand onto the site.
14. The berms which cover the foundry sand shall be maintained in vegetative cover to control erosion of the foundry sand.
15. The stockpiled MOSS, shingle scrap, recycled asphalt, and concrete pavement will not be disposed at the site.
16. Stock piles of recycled asphalt, MOSS, shingles, and concrete shall be limited in size to amount that will be used that year.
17. Backfill material shall be either clean fill material that was stripped off the site or other clean fill material which is brought in from offsite.
18. Spent bag house bags will be disposed of in a lined landfill permitted or approved to accept such materials.
19. A restoration bond shall be in an amount to cover the costs of restoration of the site, as determined by the City Engineer, prior to City Council approval.
20. Bituminous Roadways shall obtain and maintain the necessary licenses and approvals from Dakota County and Minnesota Department of Natural Resources. Terms and conditions of the license and approval shall be hereby incorporated into this City approval.
21. Bituminous Roadways shall obtain and maintain the necessary Minnesota Pollution Control Agency permits including two air quality permits and one industrial storm water permit. The terms and conditions of those permits shall be hereby incorporated into this City approval.
22. All reports which are required to be submitted to Dakota County under a Hazardous Waste Generators License and a Processing License shall also

be submitted to the City, including the required annual and quarterly reports.

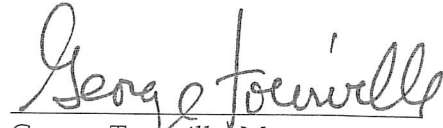
23. All reports which are required to be submitted to the Minnesota Pollution Control Agency shall also be submitted to the City, including annual emissions inventory report, semi-annual deviations report, annual compliance certification report, and annual report.
24. Monitoring shall be conducted at the single water well that consists of arsenic, barium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, zinc, DRO, GRO, phenol, pH, electric conductivity and alkalinity. The monitoring shall occur with half the wells every other year. Parameters and protocols shall be as agreed to by Dakota County, the City and Bituminous Roadways.
25. Monitoring of the storm water ponds and wells shall be conducted every other year and shall be tested for the same elements as listed in condition #24 per the proposed testing schedule identified on the Water Testing Map.
26. All buildings shall be removed from the site within three (3) months of the closure of the facility.
27. Bituminous Roadways shall enter into a Host Community Agreement with the City of Inver Grove Heights including the payment of host community fees, within three (3) months of the State Legislature providing the City with the Authority to enter into such an agreement.
28. Restoration shall be conducted in phases at the site. As portions of the mining area are completed, the areas will be backfilled, graded, topsoil applied and vegetation established.
29. The operator is responsible for obtaining all required permits for the wash water well from the appropriate state and or county agencies and must meet all DNR requirements, obligations and protocols for a well appropriations permit, including responsibilities and protocols for any remedial actions and those responsibilities and protocols for any compensation or damages from the loss of well use affected neighboring properties. Any change or any application for an appropriation permit for an aquifer different than the one that has been identified would require an amendment to the conditional use permit.
30. Bituminous Roadways shall provide a voluntary well interference protocol agreement for neighboring properties within ½ mile of the well

requesting to be a party thereto. The agreement shall be prepared by Bituminous Roadways and shall stipulate procedures to follow should well problems occur. The agreement between the parties is strictly voluntary and not required for the well to be operational.

31. The southern access to the site shall be allowed as a secondary driveway for the operation provided it is used by no more than 10% of the truck traffic for the site.

Enacted and ordained into an Ordinance this 9th day of October, 2017.

Ayes: 5
Nays: 0


George Tourville, Mayor

ATTEST:



Michelle Tesser, City Clerk



PLANNING REPORT

CASE NO.: 22-46PUD

APPLICANT: Builders Lot Group, LLC

PROPERTY OWNER: James Peltier

REQUEST: Preliminary, Final Plat and PUD Amendment

LOCATION: Agate Trail and 70th Street

HEARING DATE: November 1, 2022

COMPREHENSIVE PLAN: LDR, Low Density Residential

ZONING: Planned Unit Development

REVIEWING DIVISIONS: Planning

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant is proposing to replat Outlot L of Peltier Reserve into a one lot plat. This is the lot that is the future park in Peltier Reserve. At the time of platting, the area to be deeded to the city for park was shown as an outlot. The lot needs to be replatted since there could be a structure on this lot in the future. Buildings are not allowed on outlots.

The applicant is also requesting the front yard setback for the Peltier Reserve development be amended to allow a 20 foot setback whereas the plans were approved with a 25 foot setback.

REQUESTS

The specific requests for the project include the following:

1. Preliminary and Final Plat for a one lot plat to be known as Peltier Reserve Second Addition.
2. Planned Unit Development Amendment to change the front yard setbacks.

EVALUATION OF THE REQUEST

Preliminary/Final Plat

The applicant is replatting the outlot in Peltier Reserve that was approved by City Council to be deeded to the city for park land. Since there would be improvements and possible buildings in the future, the outlot must be replatted into a standard lot. The development agreement requires the developer to deed the lot once it is replatted to the city for park purposes.

The replat would have standard perimeter drainage and utility easements as required. By separate action, the lot will be rezoned to the Institutional District, so zoning is consistent with the use.

Planned Unit Development Amendment

The applicant is requesting an amendment to the approved PUD plans to allow for front yard setbacks for the homes to have a minimum 20 foot setback. The plans were approved with a 25 foot setback. The developer is now finding that based on the size and design of the homes being built, meeting the 25 feet causes some challenges on the lots where the road curves. The NWA Ordinance allows a setback of at least 20 feet, so the request is consistent with the code and no flexibility request is needed. The 20 foot setback would now be approved and identified on the setback table of the approved plans. Staff has no issues with this change.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed project:

A. Approval:

If the proposed requests are found to be acceptable, approval of the applicable following actions should be taken:

- Approval of the Preliminary and Final Plat of Peltier Reserve Second Addition.
- Approval of the Planned Unit Development Amendment to show a 20 foot minimum front setback as shown on the PUD Applied Standards plan dated 10-19-2022.

B. Denial:

Should the proposed request, or portions thereof, not be found to be acceptable, the appropriate requests described above should be denied. The basis for denial must be stated in any such motion.

RECOMMENDATION

The platting is consistent with the condition of approval requiring the replat and the setback amendment is consistent with the NWA zoning code. Staff recommends approval of both requests.

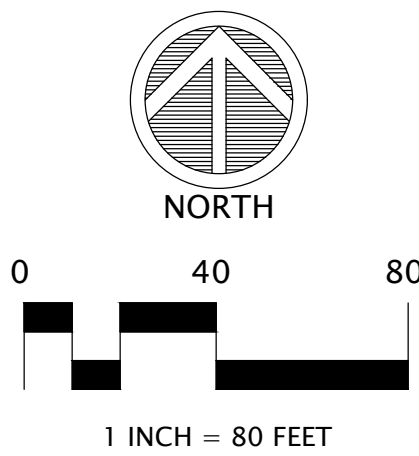
Attachments:

Location Map

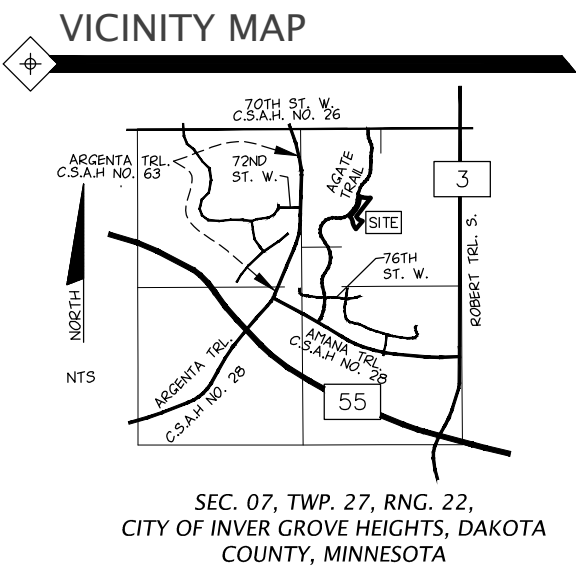
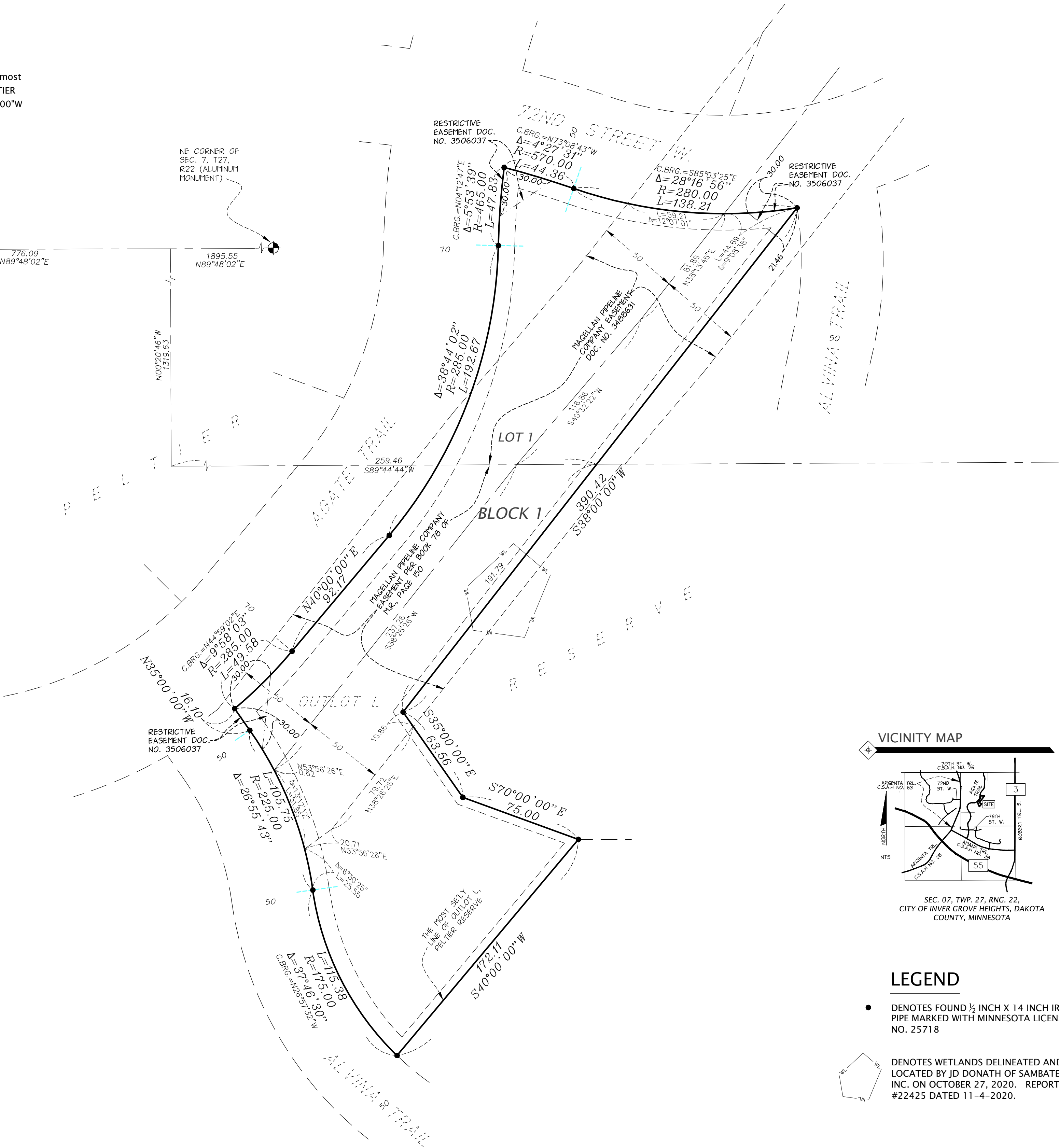
Preliminary/Final Plat

Revised PUD Applied Standards Plan

PELTIER RESERVE SECOND ADDITION

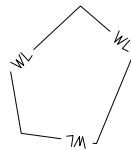


For the purposes of this survey the most southeasterly line of Outlot L, PELTIER RESERVE is assumed to bear S40°00'00"W



LEGEND

• DENOTES FOUND 1/2 INCH X 1/4 INCH IRON PIPE MARKED WITH MINNESOTA LICENSE NO. 25718



DENOTES WETLANDS DELINEATED AND LOCATED BY JD DONATH OF SAMBATEK, INC. ON OCTOBER 27, 2020. REPORT #22425 DATED 11-4-2020.

KNOW ALL PERSONS BY THESE PRESENTS: That Builders Lot Group, LLC, a Minnesota limited liability company, owner of the following described property:

Outlot L, PELTIER RESERVE, Dakota County, Minnesota.

Has caused the same to be surveyed and platted as PELTIER RESERVE SECOND ADDITION and does hereby dedicate to the public the easements for drainage and utility purposes as created by this plat.

In witness whereof said Builders Lot Group, LLC, a Minnesota limited liability company, has caused these presents to be signed this _____ day of _____, 20____.

SIGNED:

By: _____, Melvin Moore, chief manager.

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____, by Melvin Moore, chief manager, Builders Lot Group, LLC, a Minnesota limited liability company on behalf of the limited liability company.

(Sign)

(Print)

Notary Public, _____ County, Minnesota
My Commission Expires _____

I Daniel L. Thurmes do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Daniel L. Thurmes, Licensed Land Surveyor
Minnesota License No. 25718

STATE OF MINNESOTA
COUNTY OF WASHINGTON
This instrument was acknowledged before me this _____ day of _____, 20____, by Daniel L. Thurmes, a Licensed Land Surveyor.

(Sign)

(Print)

Connie J. P. Villari
Notary Public, Dakota County, Minnesota
My Commission Expires January 31, 2025

PLANNING COMMISSION, INVER GROVE HEIGHTS, MINNESOTA
Approved by the Planning Commission of the City of Inver Grove Heights, Minnesota, this _____ day of _____, 20____.

By: _____, Chair

By: _____, Secretary

CITY COUNCIL, INVER GROVE HEIGHTS, MINNESOTA
This plat of PELTIER RESERVE SECOND ADDITION was approved and accepted by the City Council of the City of Inver Grove Heights, Minnesota, at a regular meeting thereof held this _____ day of _____, 20____, and is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

By: _____, Mayor

Attest: _____, City Clerk

COUNTY SURVEYOR, COUNTY OF DAKOTA, STATE OF MINNESOTA
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____.

By: _____
Todd B. Tollefson, Dakota County Surveyor

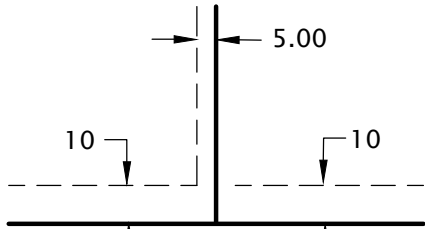
DEPARTMENT OF PROPERTY TAXATION AND RECORDS, COUNTY OF DAKOTA, STATE OF MINNESOTA
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20____.

By: _____
Amy A. Koethe, Director
Department of Property Taxation and Records

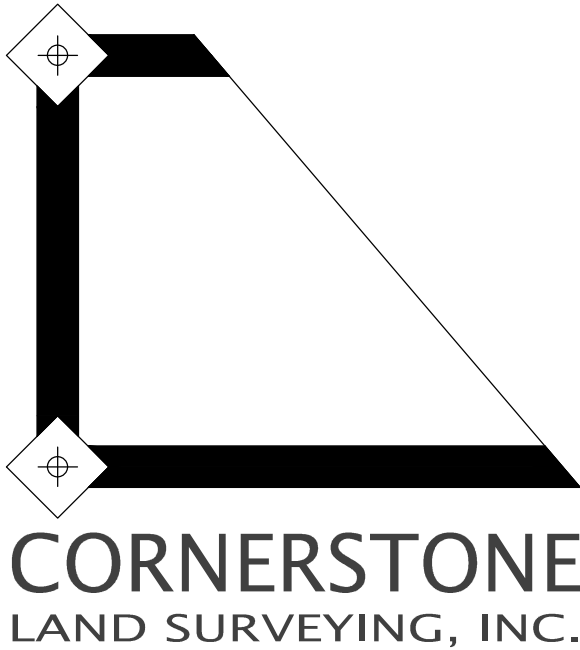
COUNTY RECORDER, COUNTY OF DAKOTA, STATE OF MINNESOTA
I hereby certify that this plat PELTIER RESERVE SECOND ADDITION was filed in the office of the County Recorder for public record on this _____ day of _____, 20____, at _____ o'clock _____ .M. and was duly filed in Book _____ of Plats, Page _____ as Document No. _____.

By: _____
Amy A. Koethe, County Recorder

DRAINAGE AND UTILITY EASEMENTS
ARE SHOWN AS THUS:
(NOT TO SCALE)



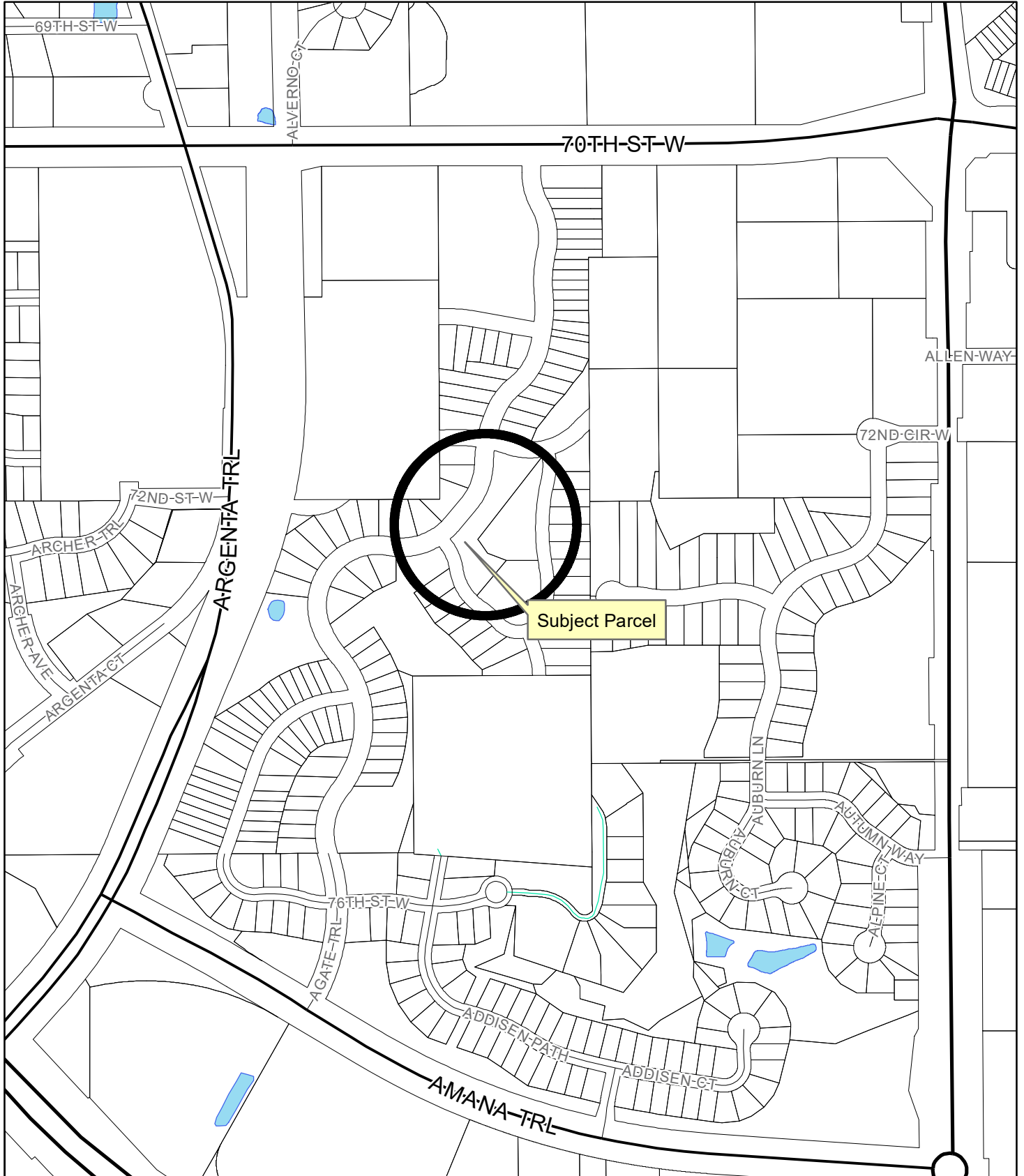
BEING 10 FEET IN WIDTH AND ADJOINING STREET LINES AND BEING 5.00 FEET IN WIDTH AND ADJOINING LOT LINES AND OUTLOT LINES UNLESS OTHERWISE SHOWN ON THE PLAT.



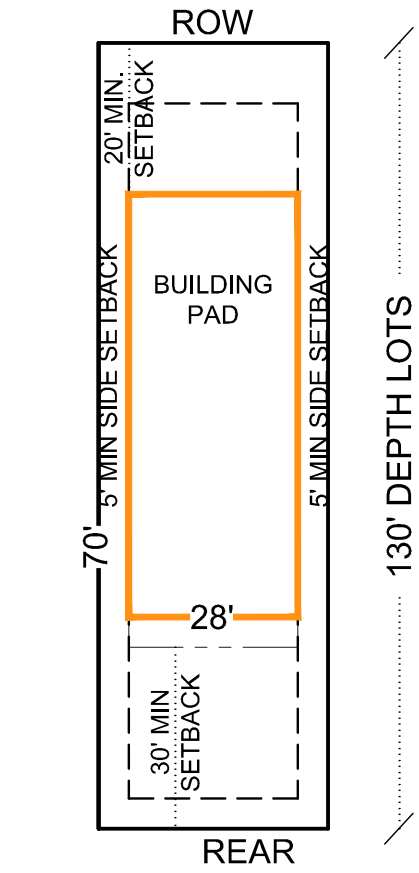


Location Map

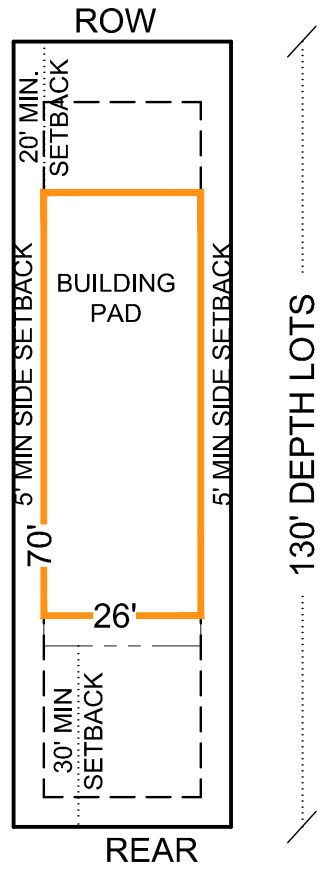
Case No. 22-46PUD



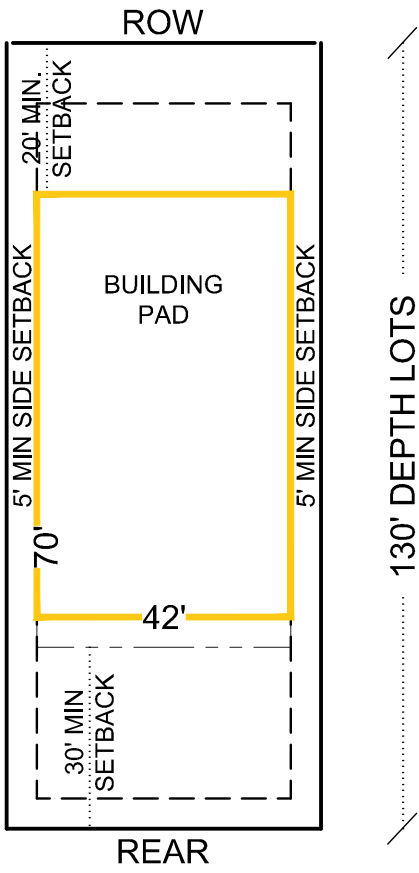
	APPLIED & SUPPLEMENTAL PUD NEIGHBORHOOD DESIGN STANDARDS						
	Medium Density	Low Density	Low Density	Low Density	Multi Use	Existing House	TOTAL
Lot Requirements							
Lot Width	36'-38'	50'-52'	60'	65'			
Lot Depth	125'	130'	130'	135'			
Lot Size	4500-4750 SF	6500-6760 SF	7800 SF	8775 SF			
Pad Width	26'-28'	40'-42'	50'	50'			
Pad Depth	70'	70'	60'	60'			
Units	51	37	16	19	165		288 Units
Setbacks							
Front (From ROW)	20'	20'	20'	20'	40'		
Side (House & Garage)	5'	5'	5'	7.5'	40'		
Side (Corner)	15'	15'	15'	15'	40'		
Side (County Rd 70)	50'	50'	50'	50'	50'		
Rear	30'	30'	30'	30'	50'		
Rear (Argenta Trail)	50'	50'	50'	50'	50'		
Building Height	35'	35'	35'	35'			
Lot Coverage							
Building Pad	1,980 SF	2,800 SF	2,950 SF	3,000 SF	48,500 SF (25%)	0.57 AC	8.77 AC
Driveways & Walks	520 SF	775 SF	800 SF	900 SF	3,500 SF	0.76 AC	2.53 AC
Parking Lot					49,000 SF		1.12 AC
Lot Impervious (max.)	2,500 SF (55%)	3,575 SF (55%)	3,750 SF (48%)	3,900 SF (45%)	101,000 SF (52%)		
Total Impervious:						1.33 AC	12.42 AC
Vehicle Parking							
SF & Apartment	1 OFF-STREET	2 OFF-STREET	2 OFF-STREET	2 OFF-STREET	1 GAR.+0.5/UNIT		
Total Streets Impervious							5.77 AC



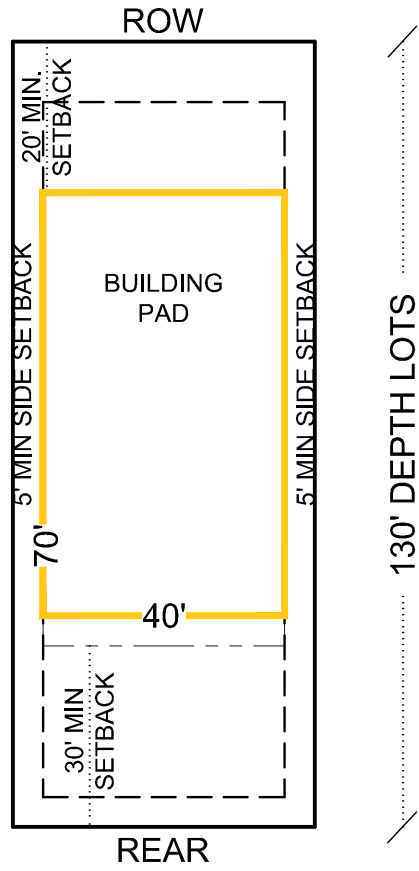
38' WIDE LOT AVERAGE
28' WIDE BY 70' DEEP PAD



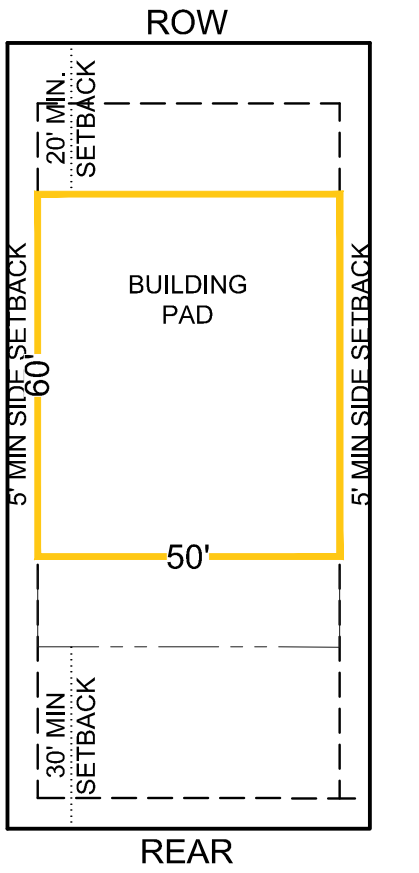
36' WIDE LOT AVERAGE
26' WIDE BY 70' DEEP PAD



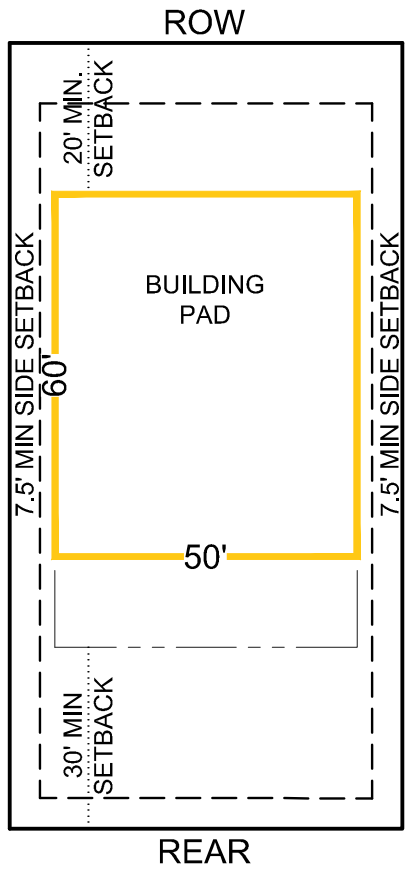
52' WIDE LOT AVERAGE
42' WIDE BY 70' DEEP PAD



50' WIDE LOT AVERAGE
40' WIDE BY 70' DEEP PAD



60' WIDE LOT AVERAGE
50' WIDE BY 60' DEEP PAD



65' WIDE LOT AVERAGE
50' WIDE BY 60' DEEP PAD



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Minnetonka, MN 55343

763.476.6010 telephone
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Engineering | Surveying | Planning | Environmental

Client



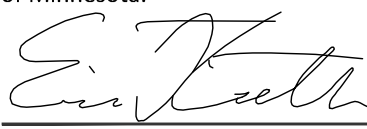
Builders
LOT GROUP

Project
PELTIER
RESERVE

Location
INVER GROVE
HEIGHTS, MN

Certification

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.



Eric T. Luth
Registration No. 50475 Date: 09/03/2021

If applicable, contact us for a wet signed copy of this plan which is available upon request at Sambatek's, Minnetonka, MN office.

Summary

Designed: JEB Drawn: CIS
Approved: ETL Book / Page:
Phase: CONSTRUCTION Initial Issue: 09/03/2021

Revision History

No.	Date	By	Submittal / Revision
09/03/21			CONSTRUCTION DOCS
10/15/21			REVISION A
11/10/21			REVISION B
05/12/22			REVISION C - CITY COMMENTS
10/10/22			REVISION E - LOT SETBACK TO 20'
10/19/22			REVISION F - ENTRY PLANTS

Sheet Title
PUD APPLIED
STANDARDS

Sheet No. Revision
C3.05 F

Project No. 22425