

**CITY OF SCANDIA  
RESOLUTION NO. 05-20-08-02**

**RESOLUTION APPROVING CONDITIONAL USE PERMIT APPLICATION OF  
DRESEL CONTRACTING, INC. FOR  
SAND AND GRAVEL MINING AND PROCESSING**

WHEREAS, DRESEL CONTRACTING, INC. operates a sand and gravel mining and processing operation located on approximately 57 acres on 218th Street North, on property legally described as:

Dresel Property: PID 1703220220002

Sect-17 Twp-032 Range-020 PT N1/2-NW1/4 S17T32R20 BEING THE E 1396FT OF THE FOLL DESC PARCEL: THAT PT N1/2-NW1/4 OF S17T32R 20 LYING NLY OF THE S 66FT & LYING WLY OF THE E 768.7FT THEREOF NEW SCANDIA TWP

Roth Property: PID 1703220210003

Sect-17 Twp-032 Range-020 PT NE1/4-NW1/4 173220 COM AT N1/4 COR OF SEC 17 THEN S ALONG N&S1/4 LINE OF SD SEC A DIST OF 527.5FT TO PT OF BEG THEN CONT ON SAME LINE A DIST OF 443.5FT TO A PT THEN ON A DEFLECT ANG TO RT OF 90DEG. A DIST OF 491FT TO A PT THEN ON A DEFLECT ANG TO RT OF 90DEG. A DIST OF 443.5FT TO A PT THEN ON A DEFLECT ANG OF 90DEG. TO RT A DIST OF 491FT TO PT OF BEG SUBJ TO EASEMENT AND THAT PT NE1/4 NW1/4 S17T32R20 DESC AS FOLL:COM AT THE N1/4 CORNER OF SEC17 THN SLY ALG THE N-S1/4 LINE OF SEC 17 A DIST 971FT TO THE PT OF BEG THN WLY DEFLECT 90DEG TO THE RT A DIST OF 491FT THN/NLY DEFLECT 90DEG TO THE RT A DIST 443.55FT THN ELY DEFLECT 90DEG TO THE RT A DIST OF 76FT THN NLY DEFLECT 90DEG TO THE LEFT A DIST 548FT M/L TO THE N LINE OF SEC17 THN WLY ALG THE N LINE OF SEC17 A DIST 355FT M/L TO THE W LINE OF THE E 768.7FT OF SD NE1/4 NW1/4 THNC SLY ALG SD W LINE A DIST 1254FT M/L TO THE N LINE OF THE S 66FT OF SD1/4-1/4 THN ELY ALG SD N LINE A DIST OF 770FT M/L TO THE N-S1/4 LINE

OF SEC 17 THN NLY ALG SD N-S1/4 LINE A DIST OF 283FT M/L TO THE PT OF BEG-SUBJ TO CSAH#1 ALG THE MOST ELY LINE SUBJ TO & INCLUDING ANY VALID EASEMENTS RESTRICTIONS & RESERVATIONS NEW SCANDIA TWP (RESTRICTION:WRITTEN APPROVAL FROM NEW SCANDIA TWP IS REQUIRED BEFORE EITHER OF THE TWO(2) PARCELS OF LAND DESCRIBED HEREIN MAY BE CONVEYED SEPARATELY.

**WHEREAS**, the site has been actively mined since the 1960's, and has operated under a previous Conditional Use Permit granted by Washington County, when the County exercised land use authority within New Scandia Township. Permitted activities include the mining and processing of aggregate; and

**WHEREAS**, Ordinance No. 103, Chapter 4 of the Development Code of the City of Scandia, Minnesota, adopted August 28, 2007 (hereinafter referred to as "the ordinance") replaced the requirements of the ordinances adopted by Washington County and the former New Scandia Township and required the issuance of a new Conditional Use Permit for continued operation of existing mining operations; and

**WHEREAS**, Dresel Contracting, Inc. submitted an application for a Conditional Use Permit to the City of Scandia, which was found to be complete for review on February 13, 2008; and

**WHEREAS**, the Scandia Planning Commission held a duly-noticed public hearing on March 5, 2008 and continued the hearing to April 1, 2008 and then to May 6, 2008 to gather public input and review the application; and

**WHEREAS**, the Planning Commission has recommended that the City Council approve the Conditional Use Permit subject to certain conditions required for compliance with the ordinance and with the general criteria for granting conditional use permits as established by Chapter 1, Section 7.3 of the Scandia Development Code;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCANDIA, WASHINGTON COUNTY, MINNESOTA**, that it should and hereby does find that the Conditional Use Permit shall be and hereby is issued, with the following conditions made a part thereof:

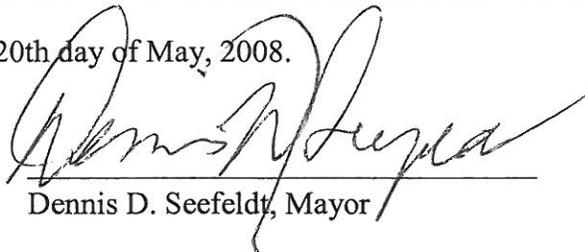
1. All activities on the site shall be in accordance with the Conditional Use Permit Application, as updated with submittals through May 1, 2008, except for any changes therein that may be required by conditions of approval that may follow.
2. The Applicant shall provide an updated copy of the Application materials and plan sheets to the City within 60 days of approval of this resolution.
3. The Applicant must at all times comply with the ordinance and all rules and regulations of Federal, State, County, and local agencies, and maintain existing permits granted by these agencies for all operations at the site.

4. The Applicant must receive all required permit(s) from Carnelian-Marine-St. Croix Watershed District and maintain said permit(s) over the life of the mining operation.
5. Within 60 days of approval of the CUP, the Applicant shall install at least three monitoring wells in the sand and gravel, water table aquifer. These include the observation well proposed to be shared with Tiller Corporation Sand and Gravel Mine at 22303 Manning Avenue North. The Applicant shall construct the wells with 10 feet of screen to ensure the water table does not fall below the bottom of the screen during dry periods. The depth of the well shall be determined by the Applicant in consultation with the city's hydrogeologist, and will consider the time of year and anticipated water table fluctuations.
6. The Applicant shall not excavate deeper than the current lowest point in the mine (928 feet amsl) until authorized by the City. The City's consulting hydrogeologist shall review and evaluate the groundwater monitoring data gathered from the monitoring wells, establish the depth to groundwater, and recommend the depth of excavation. In no case shall the Applicant excavate closer than three (3) feet to the groundwater. The Applicant shall revise the Proposed Conditions Mining Plan to raise the pit bottom elevations to at least three (3) feet above the water table elevation.
7. Within 60 days of adoption of this resolution, the Applicant shall submit a detailed plan for ground-water monitoring and protocols to the City for approval and review by the City's consulting hydrogeologist.
8. The Applicant shall update plan Figure 2 of the Site Plan to illustrate the MN County Well index wells in the vicinity of the site within 60 days of approval of the CUP.
9. The Applicant shall establish a permanent benchmark elevation in the mine. The benchmark location shall be approved by City staff.
10. Ground-water samples shall be analyzed for DRO (diesel range organics.) If gasoline is to be stored on site, then GRO (gasoline range organics) and benzene shall be added to the analyte list.
11. Within 60 days of approval of the CUP, the Applicant shall provide supplemental signage below the existing "truck hauling" signs on 218th Street to indicate the approximate number of feet remaining to the site access point.
12. The Applicant must keep 218<sup>th</sup> Street North free of dirt and debris caused by trucks hauling between its access and Lofton Avenue.
13. The Applicant shall delineate the northern wetland (designated PUBGx )on the site plan. Requirements for exemption or replacement shall follow Minnesota Wetland Conservation Act requirements. The applicant shall mark and maintain an undisturbed buffer area of at least 50 feet from all wetlands on the site.
14. The Applicant must, within 60 days of approval of this resolution, prepare an updated reclamation plan for approval by the City. Reclamation shall proceed concurrently and proportional to mining operations. The reclamation plan shall minimize the amount of the exposed, mined portion of the site. Progress on concurrent reclamation shall be demonstrated in the AOP application
15. Final reclamation will include removal of any equipment, and backfilling and seeding of the operations area.

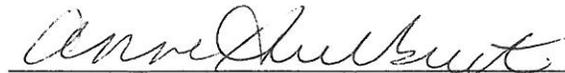
16. Approval of the reclamation plan shall not constitute an approval by the City of Scandia of the "concept ultimate use plan" included in the application. Ultimate use shall be determined based on the Scandia Comprehensive Plan and ordinances in effect at the time the mining is complete and applications for development of the site may be submitted
17. The reclamation plan shall be updated every five years.
18. The Applicant shall, within 60 days of the date of this resolution, provide to the city an Irrevocable Letter of Credit or other security satisfactory to the city in the amount of \$120,000 to guarantee the completion of approximately 32 acres that the Applicant estimates will be reclaimed and restored on the site during the next five years, and the performance of its obligations set forth by this permit. The city may require the amount of this security to be adjusted in future years based on inflationary increases in construction costs, or upon re-evaluation of the needs for reclamation, as a condition of approval of an Annual Operating Permit. Future reductions in this security shall be made as provided by the ordinance. The City may allow reductions in portions of the Letter of Credit or other security for completed and approved reclamation on a five-year basis.
19. The Applicant must apply for and obtain an Annual Operating Permit from the City. The application shall be completed within 60 days of approval of the CUP and annually as required by the ordinance.

**FURTHER, BE IT RESOLVED**, any significant variation from these plans and conditions of approval shall require an application to amend this Conditional Use Permit.

Adopted by the Scandia City Council this 20th day of May, 2008.

  
Dennis D. Seefeldt, Mayor

ATTEST:



City Clerk/Administrator