CITY OF SCANDIA
RESOLUTION NO. 04-19-11-04

RESOLUTION APPROVING ANNUAL OPERATING PERMIT APPLICATION OF TILLER CORPORATION FOR SAND AND GRAVEL MINING AND PROCESSING

WHEREAS, Tiller Corporation operates a sand and gravel mining and processing operation and asphalt hot-mix plant located on approximately 435 acres at 22303 Manning Avenue North, on property legally described as:

The Southeast ¼ of Section 7, in Township 32 North, of Range 20 West; and that part of the Southwest ¼ of the Southwest ¼ of Section 8, in Township 32 North, of Range 20 West, described as follows:

Commencing at a point in the North line of said Southwest ¼ of the Southwest ¼ of said Section 8, 22 rods East of the Northwest corner thereof, thence West along said North line to the Northwest corner of said Southwest ¼ of the Southwest ¼, thence South along the West line of said Southwest ¼ of Southwest ¼ to the Southwest corner thereof, thence East along the South line of said Southwest ¼ of the Southwest ¼ a distance of 42 rods to a point, thence Northwesterly in a straight line to the point of beginning; and also a strip of land 2 rods wide on the North side of said Southwest ¼ of the Southwest ¼, commencing 22 rods East of the Northwest corner thereof and extending to the Northeast corner thereof.

That part of the South Half of the Northeast Quarter of Section 7, Township 32 North, Range 20 West, Washington County, Minnesota, described as follows:

Commencing at the Northwest corner of said South Half; thence Easterly along the North line of said South Half a distance of 1223.40 feet to the point of beginning; thence Southerly, parallel with the West line of said South Half, a distance of 1319.60 feet to the South line of said South Half; thence Easterly along said South line a distance of 1423.65 feet to the Southeast corner of said South Half; thence Northerly along the East line of said South Half a distance of 1317.76 feet to the Northeast corner of said South Half; thence Westerly along the North Line of said South Half a distance of 1422.96 feet to the point of beginning. Subject to 228th Street North along North line.

That part of the Southeast Quarter of the Southwest Quarter and of the South Half of the Northeast Quarter of the Southwest Quarter of Section 7, Township 32, Range 20, Washington County, Minnesota lying easterly of the centerline of County Road 15A as said centerline is described in Book 312 of Deeds on pages 19 and 20.

Subject to County Road 15A.
Subject to easements of record.

The North One-Half of the Southwest Quarter (N ½ of SW ¼) and the Southeast Quarter of the Northwest Quarter (SE ¼ of NW ¼) all in Section 8, Township 32, Range 20.

Except: All that part of the Northeast Quarter of the Southwest Quarter (NE ¼ of SW ¼) of Section 8, Township 32, Range 20, Washington County, Minnesota lying East of the centerline of County State Aid Highway No. 1 (Lofton Avenue).

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 1966, 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, the production of hot-mix asphalt, and the recycling of concrete and asphalt products; and

WHEREAS, an Environmental Assessment Worksheet (EAW) was prepared for this mining facility in 1987, and a second EAW was completed in 1999 for a proposed expansion of the facility; and

WHEREAS, the scope of operations and mining limits proposed in the current permit application to the City are consistent with the scope of the operations and mining limits reviewed in the 1999 EAW,

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 and Annual Operating Permits for continued operation of existing mining operations; and

WHEREAS, the City approved a Conditional Use Permit for the mining and processing operations on May 20, 2008; and

WHEREAS, Tiller Corporation, Inc. submitted an application for an Annual Operating Permit to the City of Scandia, which was found to be complete for review on February 8, 2011; and

WHEREAS, the Scandia City Council reviewed the application at its regular meeting on March 15, 2011;