

Conditional Use Permit: Lakes Concrete Plus, Inc.

A conditional use permit is hereby granted to Lakes Concrete Plus, Inc., their heirs and assigns, of the County of Beltrami, State of Minnesota, hereinafter referred to as permittee, for conditional use of the following described property owned by Lakes Concrete Plus, Inc. a Minnesota Corporation, in accordance with the following described conditions.

Legal Description:

Parcel 1 – The Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 7, Township 147 North, Range 32 West, Beltrami County, Minnesota.

Parcel 2 – The Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 7, Township 147 North, Range 32 West, less the South 520 feet of the North 845 feet of the East 530 feet thereof, Beltrami County, Minnesota.

Parcel 3 – The South 520 feet of the North 845 feet of the East 530 feet of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 7, Township 147 North, Range 32 West, Beltrami County, Minnesota.

This conditional use permit is granted to enable the permittee, their heirs and assigns to use the property for the following purposes:

Purpose: Commercial gravel pit

Conditions:

- 1) All uses of the above described premises shall be in accordance with the applicable state and county statutes and ordinances and applicable provisions of the Turtle River Township Zoning ordinance.
- 2) This conditional use permit shall be non-transferrable for a period of 18 months from the date hereof unless provided otherwise below
- 3) At no time will there be more than 10 acres being mined at one time. Reclamation must be completed on previous year's mining during current mining season. Reclaimed areas must meet 3:1 slope standard.
- 4) Reclaimed areas which were previously forested must be reforested with a minimum of 600 trees per acre at an approximate spacing of 8 feet by 9 feet. Any existing trees within 50 feet of the county road right-of-way shall remain as a buffer. Reclamation plans from previous conditional use permits for this site must be completed adjacent to county roads and property lines prior to any further operations in this pit area to the satisfaction of the Board of Turtle River Township. Except as set forth herein, reclamation must meet the standards found in the Minnesota Department of Natural Resources publication, *A Handbook for Reclaiming Sand and Gravel Pits in Minnesota*, July 1992.
- 5) Township roads used in the transport of material from the conditional use area shall be kept in good repair and remain substantially dust-free at the expense of Lakes Concrete Plus, Inc. and at the direction of the Board of Turtle River Township. Use of Sumac Road between County

Road 57 and Pincherry Road for transport of pit material will require application of water to provide dust abatement.

- 6) Owner of the pit agrees to work with law enforcement where applicable to prevent trespassing. Gates will be closed during published non-operating hours as provided in Condition no. 8 of this permit.
- 7) Lakes Concrete Plus, Inc. will furnish a performance bond to ensure reclamation of the site in accordance with the reclamation plan in the amount of \$15,000. If any dispute arises regarding application of the bond, the parties agree to resolve disputes by arbitration.
- 8) Hours and duration of operation: No operations shall be conducted on Saturdays, Sundays, and legal holidays. Crushing operations are limited to 7:00 a.m. to 6:00 p.m. Monday through Thursday, and 7:00 a.m. to 4:30 p.m. on Friday. Hauling is limited to 7:00 a.m. to 7:00 p.m. Monday through Thursday and 7:00 a.m. to 6:00 p.m. on Fridays. Violation of this provision of the Conditional Use Permit will result in revocation of the permit.
- 9) A current contact name and telephone number must be made available to the Turtle River Township Clerk whenever the pit is in operation.
- 10) Off-site materials, including reclaimed asphalt, concrete, or other previously manufactured materials may not be brought into the pit for processing or stockpiling. This provision shall specifically except rock and/or topsoil blending material.
- 11) All Minnesota Pollution Control Agency and Beltrami County permits must be up to date and in compliance during any operations in this pit area.
- 12) The Board of Turtle River Township requires permittee or designated representative to meet with the town board for purposes of permit review annually prior to the mining season.

The following documents are incorporated by reference in this conditional use permit and are attached hereto:

Appendix 1 Development & Restoration Plan

The administrative authority of Turtle River Township may inspect the above described premises at all reasonable times for purposes of ensuring compliance with the conditions of its conditional use permit. The permittee shall correct all defects in the above described premises which result in the failure of the above described premises to meet the above listed conditions within 30 days of receipt of notice from the administrative authority indicating the defect in the above premises which is causing the noncompliance.

A waiver by the administrative authority or the failure of the administrative authority to take action with respect to any violation of any condition, covenant, or term of this permit shall not be deemed to be a waiver of such condition, covenant, or term or any subsequent violation of the same or any other condition, covenant or term.

A violation of the any of the above conditions shall constitute a violation of the Turtle River Township Zoning Ordinance and shall constitute grounds for revocation of this conditional use permit.

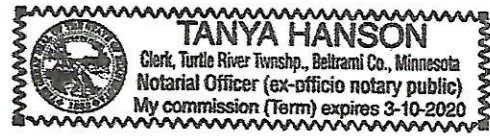
This conditional use permit shall be recorded with the County Recorder of Beltrami County.

Mary Hubert
By:
The Chair of Planning and Zoning
Commission of Turtle River Township

STATE OF MINNESOTA)
) ss
COUNTY OF BELTRAMI)

Township representative subscribed and sworn before me this 6th day of October, 2018, by Mary Hubert, the Chair of Planning and Zoning for Turtle River Township.

Tanya Hanson
Tanya Hanson
Township Clerk
Commission Expires March 2020

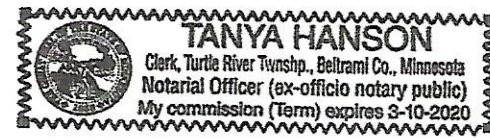


Janice Johnson
By:
Secretary of Planning and Zoning
Commission of Turtle River Township

STATE OF MINNESOTA)
) ss
COUNTY OF BELTRAMI)

Township representative subscribed and sworn before me this 6th day of October, 2018, by Janice Johnson, the Secretary of Planning and Zoning for Turtle River Township.

Tanya Hanson
Tanya Hanson
Township Clerk
Commission Expires March 2020



Ron Kuna
By:
Chairman
Commission of Turtle River Township

STATE OF MINNESOTA)
) ss
COUNTY OF BELTRAMI)

Township representative subscribed and sworn before me this 19th day of September, 2018, by

Ron Kinn, the Chairman of Turtle River Township.

Tanya Hanson

Tanya Hanson
Township Clerk
Commission Expires March 2020

