

CASS COUNTY PLANNING COMMISSION AGENDA FOR FEBRUARY 24, 2011

Cass County Highway Department Conference Room
7:00 AM
1201 Main Avenue West, West Fargo, ND 58078

1. Call to Order
Establish Quorum of Members
Approve January 27, 2011 Minutes
2. Gourde Subdivision, SE ¼, S30, Harwood Township
Final Plat Review
[Public Hearing]
[Action]
3. American Crystal Subdivision, NW ¼, S4, Everest Township
Final Plat Review
[Public Hearing]
[Action]
4. Other Business and Citizen Comment
5. Adjournment

***Additional copies of the agenda and Planning Commission materials are available at:
<http://www.casscountynd.gov/county/Boards/PlanningCommission/>***

Planning Commissioners:
Please call Highway Department Secretary
at 298-2370 if you are unable to attend.
Planning Commissioners:
Please call Highway Department Secretary
at 298-2370 if you are unable to attend.

Persons with Disabilities needing accommodations should call 298-2370 prior to the meeting.

**CASS COUNTY PLANNING COMMISSION
JANUARY 27, 2011**

1. MEETING TO ORDER

The meeting was called to order on January 27, 2011, at 7:00 AM in the Highway Department Conference Room with members present as follows: Ken Lougheed, Keith Monson, Todd Ellig, Mark Johnson, Chad Peterson, Lou Bennett, Brad Wimmer, and Mike Zimney. Scott Wagner was absent. Also present was County Planner Tim Solberg.

2. MINUTES APPROVED

MOTION, passed

Mr. Peterson moved and Mr. Bennett seconded that minutes from the October 28, 2010, meeting be approved as written. Motion carried.

3. 2011 ELECTION OF OFFICERS

MOTION TO CONTINUE WITH EXISTING OFFICERS, passed.

Mr. Bennett moved and Mr. Monson seconded to keep the officers as they are with Mr. Lougheed as Chair and Mr. Ellig as Vice-Chair. Motion carried unanimously.

4. ROAD ADVISORY GROUP APPOINTMENT

MOTION, passed

Mr. Wimmer moved and Mr. Zimney seconded to reappoint Mr. Johnson to the Road Advisory Group. Motion carried.

5. CHRISTOPHER GOURDE SUBDIVISION, PRE-APPLICATION

Mr. Solberg stated he has brought this before the Board prior to full consideration because he felt it was a unique situation and he'd like to provide some guidance to the resident prior to application for review. He is not recommending any action be taken. The living structure on the property has burnt down, and Mr. Gourde has since built a new house on the property. His mortgage company is requiring him to carry flood insurance on all structures on the parcel of land. He currently carries 6 flood insurance policies for the various structures. Mr. Gourde would like to plat the land into 2 parcels, separating the portion containing the house from the remainder of the land that contains the accessory structures. Doing this will mean that he will only have to carry flood insurance on the house. Discussion was held regarding the flood insurance requirements of different mortgage companies and the role this Board should play in the matter. Mr. Ellig & Mr. Peterson both expressed their objections to a variance. Mr. Zimney inquired about the homeowner doing a simple lot split. Mr. Solberg does not recommend a lot split as it would be in violation of Cass County Subdivision Ordinance #2006-1 and the Planning Commission would not get a chance to review. Further discussion was held regarding the Subdivision Ordinance and its benefits of platting.

MOTION, passed

Mr. Ellig moved and Mr. Peterson seconded that the Board entertain a variance request from Mr. Gourde should a formal request be submitted

and he agree to deed restrict the remaining lot that does not contain the home. Motion carried.

Additional discussion was held as what Mr. Zimney feels that the Board should give Mr. Gourde some idea of whether or not a request for variance would be approved. He shouldn't have to spend the money to get the land platted only to have the request denied. On an informal vote, all members would be in favor of the variance request. Mr. Lougheed requested Mr. Solberg and Mr. Zimney to discuss different options for a remedy to situations such as these including the idea of administrative plats and bring them before the board at a later meeting.

6. OTHER BUSINESS

Mr. Wimmer stated that the Fargo Planning Commission is looking for two members in the Fargo ET area, so if the other members know of anyone in the ET area, he would ask that they encourage them to join the Fargo Planning Commission.

Discussion was held regarding flood projections. There will be another auction held for flood buyout homes. They are aiming for the end of February or beginning of March for the auction.

7. ADJOURNMENT

MOTION, passed

On motion by Mr. Bennett, seconded by Mr. Zimney, and all voting in favor, the meeting was adjourned at 7:55 AM.

Final Plat Review Report – Gourde Subdivision

An application for subdivision approval of a tract of land located in SE ¼ of Section 30 in Harwood Township was filed in the Cass County Planning Office by Christopher Gourde. The purpose of the subdivision is to plat two lots. The plat is approximately 9.47 acres. Further the Planning Office received an application for variance of Lot Density Restrictions outlined in Article III, Section 307 of Cass County Subdivision Ordinance #2006-1 for the development.

Applicant: Christopher Gourde

Phone: 701-261-5444

Analysis

The proposed subdivision is approximately 9.47 acres and would be divided into two lots, for the purposes of splitting a residence from accessory structures. The subdivision will access a township gravel road with proper easement for the existing access so that both lots may gain access. The plat is within Zone A9, however the property owner has obtained a Letter of Map Revision (LOMR) for the home.

Comprehensive Plan Consistency:

With the proper deed restriction to prevent an additional non-farm residential dwelling the plat is consistent with the Cass County Comprehensive Plan. Further, the rebuilt home has obtained a LOMR from FEMA indicating they have taken precautions to protect themselves from flooding.

Design standards not met include:

None noted.

Review Agency Comments

Cass County Engineer – no comments - 2/10/11

County Sanitarian – none to date

Township – none to date

Cass Rural Water – none to date

Cass County Electric – Already serviced, easements are adequate – 2/10/11

Water Resource District – none to date

Qwest – no comments – 2/10/11

Public Comment – none to date

Recommendation

Staff recommends approval of the variance from Lot Density Restrictions (Article III, Section 307) with the condition that lot 1 be deed restricted from further development.

Staff recommends approval of the plat with the condition that final plat meet all the requirements for final plat, plus the following:

1. Approval by Planning Commission of requested variance
2. Deed restriction on Lot 1 filed prior to recording
3. Desires of Planning Commission and review agencies met
4. Review of Title Opinion prior to recording
5. Certified letter received from Harwood Township stating that the subdivision can meet applicable zoning regulations

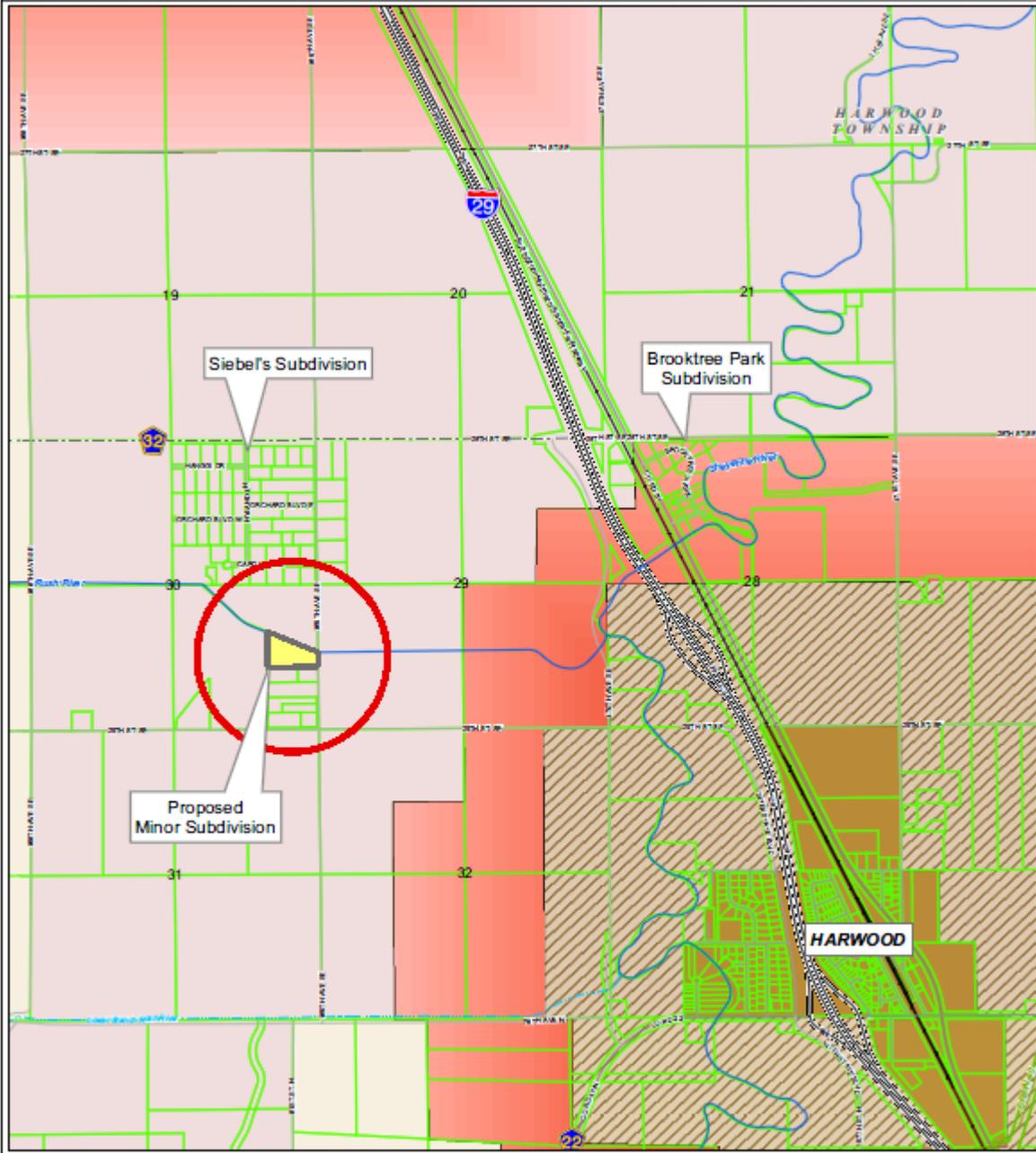
Aerial View

Christopher Gourde - SE1/4, S 30, Harwood Township



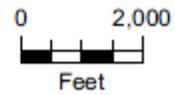
Proximity View

Christopher Gourde - SE1/4, S 30, Harwood Township



Cass County
Planning Commission
January 27, 2011

- Tax Parcels
- City Limits
- Fargo
- West Fargo
- City ET
- Fargo ET
- West Fargo ET
- Area of Joint Jurisdiction



**PLAT OF
GOURDE SUBDIVISION**
A PART OF THE SOUTHEAST QUARTER OF
SECTION 30, TOWNSHIP 141 NORTH, RANGE
49 WEST, CASS COUNTY, NORTH DAKOTA.

CERTIFICATE

AARON SKATTUM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "GOURDE SUBDIVISION", A PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 141 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT THE EXTERIOR BOUNDARY LINES OF SAID SUBDIVISION ARE DESCRIBED AS FOLLOWS, TO WIT:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 141 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 30:
THENCE NORTH 02°39'11" WEST (NORTH 02°38'21" WEST DEED BEARING) ALONG THE EAST LINE OF SAID SECTION 30 FOR A DISTANCE OF 1142.60 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 87°38'04" WEST (SOUTH 87°38'54" WEST DEED BEARING) PARALLEL TO THE SOUTH LINE OF SAID SECTION 30 FOR A DISTANCE OF 925.00 FEET;
THENCE NORTH 02°39'11" WEST (NORTH 02°38'17" WEST DEED BEARING) PARALLEL TO THE EAST LINE OF SAID SECTION 30 FOR A DISTANCE OF 630.63 FEET (649.30 FEET DEED DIMENSION) TO A POINT ON THE CENTERLINE OF CASS COUNTY DRAIN No. 12;
THENCE SOUTH 70°38'02" EAST (SOUTH 69°53'59" EAST DEED BEARING) ALONG THE CENTERLINE OF SAID CASS COUNTY DRAIN No. 12 FOR A DISTANCE OF 997.77 FEET (1002.96 FEET DEED DIMENSION) TO A POINT ON THE EAST LINE OF SAID SECTION THIRTY (30);
THENCE SOUTH 02°39'11" EAST (SOUTH 02°38'21" EAST DEED BEARING) ALONG THE EAST LINE OF SAID SECTION THIRTY (30) FOR A DISTANCE OF 261.20 FEET (266.25 FEET DEED DIMENSION) TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 9.47 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY RECORDED AND UNRECORDED.

AARON SKATTUM
REGISTERED LAND SURVEYOR
REG. NO. 6153

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "GOURDE SUBDIVISION", A PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 141 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF AARON SKATTUM, REGISTERED LAND SURVEYOR AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL STREETS, AVENUES, AND UTILITY EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNERS:

CHRISTOPHER P. GOURDE AMY MOTSCHENBACHER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2011, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED CHRISTOPHER P. GOURDE AND AMY MOTSCHENBACHER, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES: _____

HARWOOD TOWNSHIP REVIEW

REVIEWED BY HARWOOD TOWNSHIP, CASS COUNTY, NORTH DAKOTA, THIS _____ DAY OF _____, 2011.

SIGNED: _____, CHAIRMAN

ATTEST: _____, CLERK

COUNTY ENGINEER'S REVIEW

REVIEWED BY THE CASS COUNTY ENGINEER THIS _____ DAY OF _____, 2011.

SIGNED: _____, KEITH BERNDT, CASS COUNTY ENGINEER

CASS COUNTY PLANNING COMMISSION REVIEW

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 2011.

SIGNED: _____, CHAIRMAN

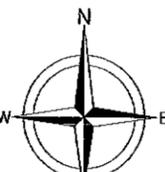
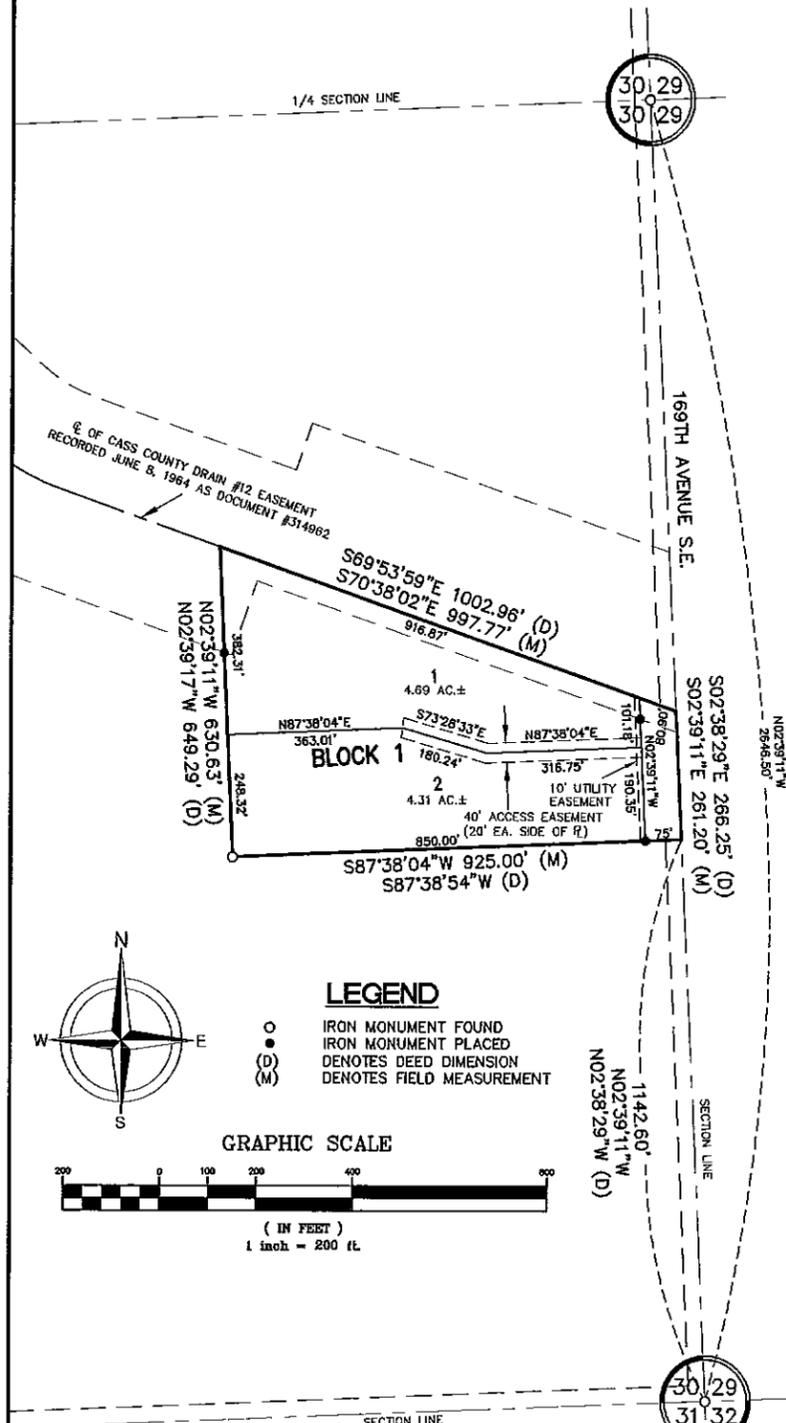
ATTEST: _____, SECRETARY

CASS COUNTY COMMISSION APPROVAL

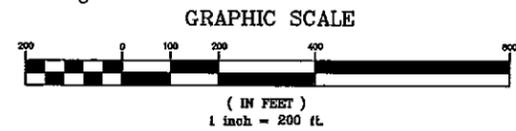
APPROVED BY CASS COUNTY, NORTH DAKOTA, THIS _____ DAY OF _____, 2011.

SIGNED: _____, CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

ATTEST: _____, CASS COUNTY AUDITOR

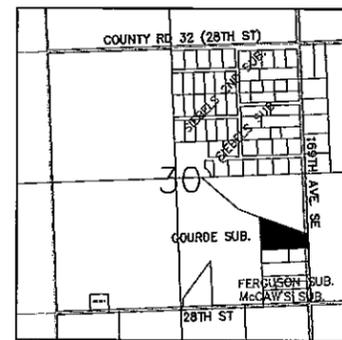


LEGEND
○ IRON MONUMENT FOUND
● IRON MONUMENT PLACED
(D) DENOTES DEED DIMENSION
(M) DENOTES FIELD MEASUREMENT



FLOOD ZONE DESIGNATION:
AREA LIES WITHIN ZONE A9 AS SHOWN ON FLOOD INSURANCE RATE MAP FOR THE TOWNSHIP OF HARWOOD, CASS COUNTY, NORTH DAKOTA COMMUNITY PANEL NUMBER 380259 0010 C, DECEMBER 18, 1985.

BASE FLOOD ELEVATION DEFINED: 891.9 (1929 DATUM)



VICINITY MAP
NOT TO SCALE

PRELIMINARY PLAT: 2/03/11

AUDITOR'S TAX RECORD

I HEREBY CERTIFY THAT ALL DELINQUENT TAXES AND SPECIAL ASSESSMENTS ON THE ABOVE PLAT ARE PAID AND TRANSFERS ENTERED.

MICHAEL MONTPLAISIR, CASS COUNTY AUDITOR



PROJ. NO. 15694

SHEET 1 OF 1

DOCUMENT NO. _____
STATE OF NORTH DAKOTA
COUNTY OF CASS

I HEREBY CERTIFY THAT THE ABOVE INSTRUMENT WAS FILED IN THIS OFFICE FOR RECORD ON THIS _____ DAY OF A.D. 2011 AT _____ O'CLOCK _____ M AND WAS RECORDED IN BOOK _____ OF _____ PAGE _____.

COUNTY RECORDER

BY _____ DEPUTY

February 18, 2011

Cass County Planning Commission
1201 Main Ave W
West Fargo, ND 58078

To Whom it may concern:

I would like to respectfully ask your commission to grant a variance for my property at 2876 169th Ave SE, Harwood. I have approximately 9.5 acres that I would like to divide into two separate parcels. The need for this division is for banking and financial purposes. I am presently required to have flood insurance on all accessory buildings on my property. By separating my home from the other buildings, the need for flood insurance on them would be eliminated.

Thank you for your consideration in this matter.

Christopher Gourde
2876 169th Ave SE
Harwood, ND 58042
701-261-5444

Final Plat Review Report – American Crystal Subdivision

An application for subdivision approval of a tract of land located in NW ¼ of Section 4 in Everest Township was filed in the Cass County Planning Office by Steven Candor. The purpose of the subdivision is to plat one lot. The plat is approximately 50.01 acres.

Applicant: Steven Candor on behalf of American Crystal Sugar Phone: 701-866-0091

Analysis

The proposed subdivision is approximately 50.01 acres and would be divided into one lot, for development of a beet pile facility. The subdivision will use public roads and will not require facilities with water or sewer needs. When the facility is in operation a portable toilet and bottled water are provided on site. Developer states at peak operation the facility will be handling approximately 25 trucks per hour, 24 hours a day, for three weeks. They propose three accesses on Cass County Highway 23 with the trucks all being handled on site where there is a combination of concrete slab and class 13 gravel surface. The plat is not currently mapped in the National Flood Insurance Program.

Comprehensive Plan Consistency:

The proposed development serves the agricultural community and will likely result in a decreased impact to County and Township infrastructure. If Everest Township approves of the development the plat would be consistent with the Cass County Comprehensive Plan.

Design standards not met include:

Question on abandoned rail on southeastern portion of plat needs to be resolved.

Review Agency Comments

Cass County Engineer – none to date

County Sanitarian – none to date

Township – Plat needs to be approved by Cass County before they will consider. They are meeting on Feb 24 at 7pm to consider. Additional concerns on 153rd Ave SE. Letter attached.

Cass Rural Water – none to date

Cass County Electric – none to date

Water Resource District – none to date

Qwest – no comment – 2/7/11

ND DOT – see attached comments

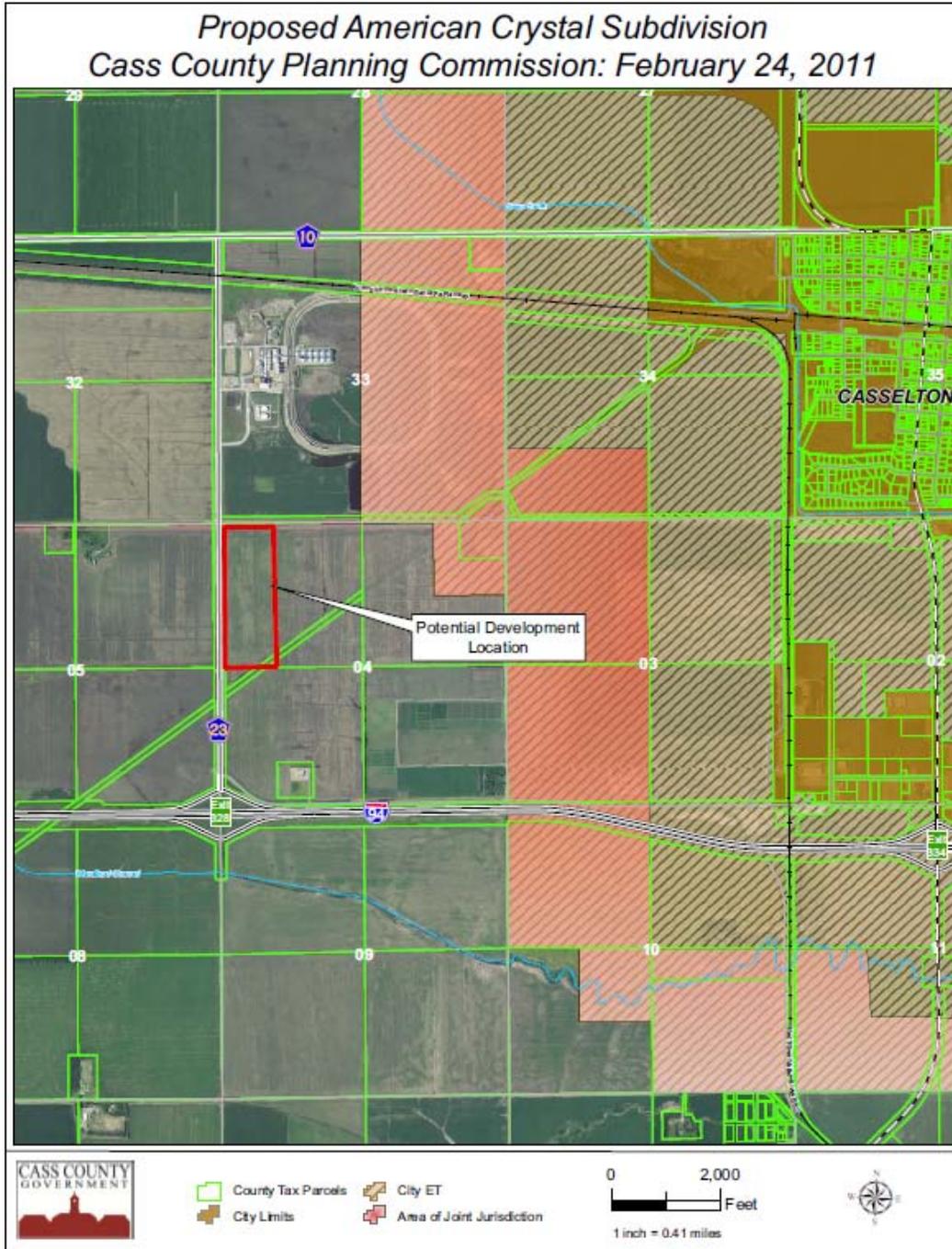
Public Comment – Russ Newman of Tharaldson Ethanol plant objects to the development. Awaiting written comments and expect a representative at our Feb. 24th meeting.

Recommendation

Staff recommends approval of plat with the condition that final plat meet all the requirements for final plat, plus the following:

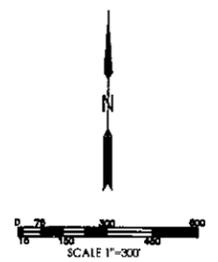
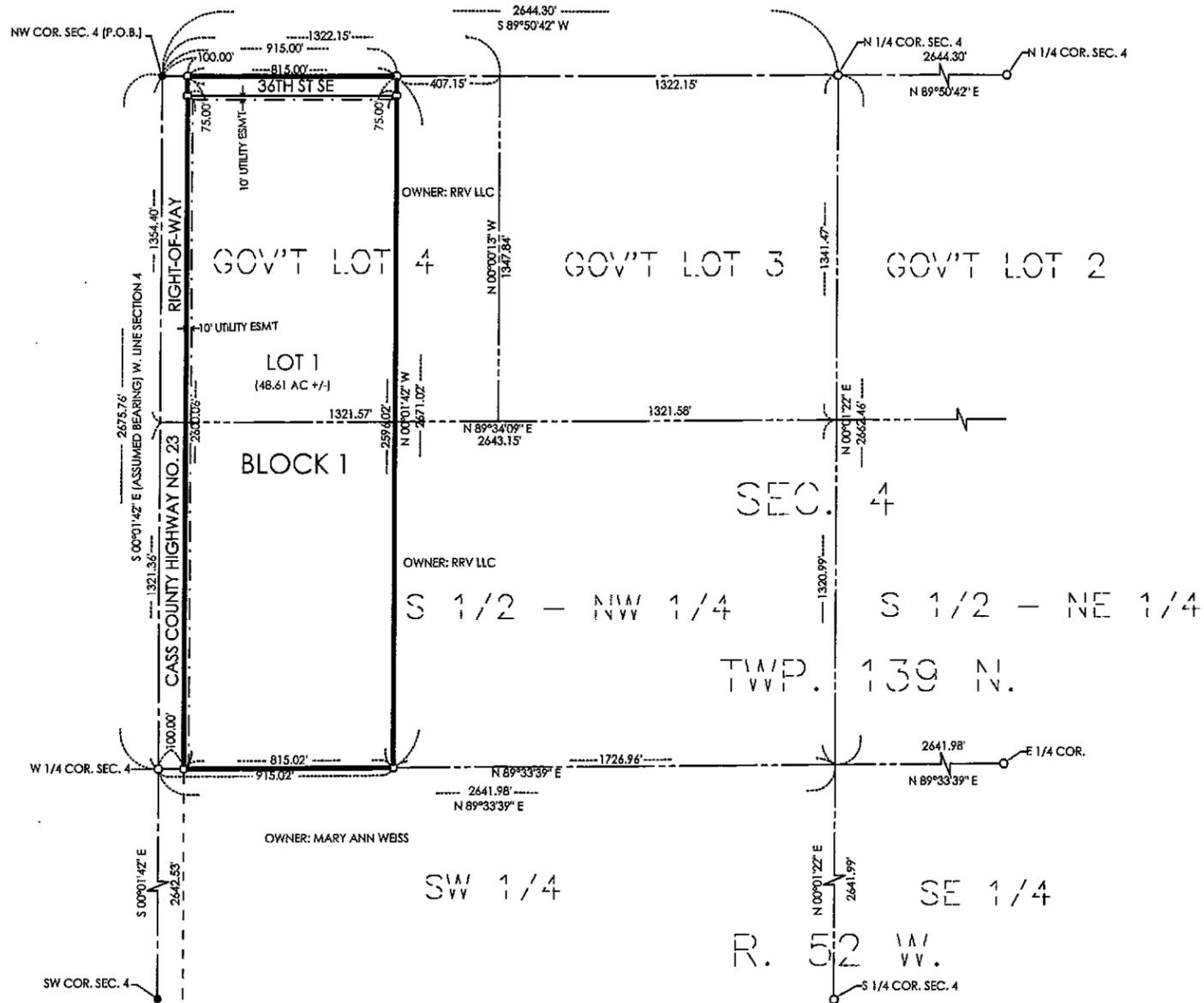
1. Review of Title Opinion prior to recording
2. Desires of Planning Commission, Township, and review agencies met
3. Copy of General Construction Permit from ND State Department of Health

IMAGES NOT DRAWN TO SCALE-ONLY FOR GENERAL REFERENCE



AMERICAN CRYSTAL SUBDIVISION

BEING A PART OF GOVERNMENT LOT 4 AND THAT PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER, SEC. 4, TWP. 139 N., R. 52 W.
TO THE COUNTY OF CASS, IN THE STATE OF NORTH DAKOTA



LEGEND

- MONUMENT FOUND
- SET MONUMENT
- EXTERIOR BOUNDARY LINE
- - - INTERIOR BOUNDARY LINE
- ==== SECTION LINE
- ==== 1/4 LINE
- ==== 1/4-1/4 LINE
- ==== EASEMENT LINE

CASS COUNTY COMMISSION APPROVAL

Approved by the Board of County Commissioners and ordered filed this ____ day of _____, 2011.

Darrel Vanya, Cass County Commission

Attest: Michael Monplaisir, Cass County Auditor

AUDITOR'S TAX RECORD

Delinquent taxes and special assessments or installments of special assessments paid and transfer entered.

Michael Monplaisir, Cass County Auditor

CASS COUNTY RECORDER

Document No. _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS) SS

I hereby certify that the above instrument was filed and recorded in this office on the ____ day of _____, 2011, at ____ o'clock ____ M., and was duly recorded in book ____ of _____ page ____.

Jewel A. Spies, Cass County Recorder

CASS COUNTY PLANNING COMMISSION REVIEW

Reviewed by the Cass County Planning Commission this ____ day of _____, 2011.

Ken Lougheed, Cass County Planning Commission

Attest: _____

EVEREST TOWNSHIP REVIEW

Reviewed by the Everest Township, Cass County, North Dakota this ____ day of _____, 2011.

Chairman, Everest Township

Attest: Clerk

COUNTY ENGINEER'S REVIEW

Reviewed by the County Engineer this ____ day of _____, 2011.

Kaith Beardl, County Engineer

OWNERS DESCRIPTION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That American Crystal Sugar Company, whose address is Moorhead Minnesota as owners of a parcel of land located in that part of Government Lot 4 and that part of the South Half of the Northwest Quarter, all in Section 4, Township 139 North, Range 52 West of the 5th Principal Meridian, Cass County, North Dakota described as follows:

Beginning at the northwest corner of said Section 4; thence South 00 degrees 01 minutes 42 seconds East, assumed bearing, along the west line of said Section 4, a distance of 2675.76 feet to the southwest corner of said South Half of the Northwest Quarter; thence North 89 degrees 33 minutes 39 seconds East, along the south line of said South Half of the Northwest Quarter, a distance of 915.02 feet; thence North 00 degrees 01 minutes 42 seconds West, a distance of 2671.02 feet to the north line of said Section 4; thence South 89 degrees 30 minutes 42 seconds West, a distance of 915.00 feet to the point of beginning; EXCEPT, the westerly 100.00 feet thereof which is Cass County Highway No. 23 right-of-way.

Said tract of land contains 50.01 acres more or less.

Said owner have caused the above described tract of land to be surveyed and platted as "AMERICAN CRYSTAL SUBDIVISION" in the County of Cass and the State of North Dakota, and do hereby dedicate to the public, for public use, all roads and utility easements as shown on this plat.

OWNER:

Tom Astrup, Vice President American Crystal Sugar Company

STATE OF NORTH DAKOTA)
COUNTY OF GRAND FORKS) SS

On this ____ day of _____, in the year of 2011, before me, a Notary Public with and for said County, personally appeared Tom Astrup, Vice President American Crystal Sugar Company, known to me to be the person described in and who executed the within instrument and acknowledged to me that he executed the same.

Notary Public, Grand Forks County, ND
My Commission Expires: _____

SURVEYOR'S CERTIFICATE

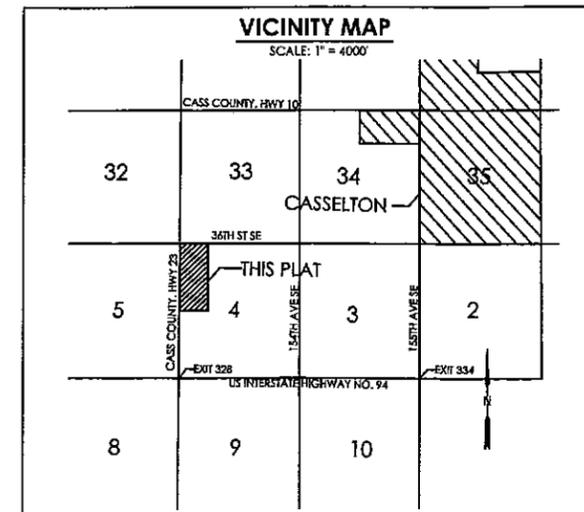
I, Gerald D. Pribula, Registered Land Surveyor in the State of North Dakota, do hereby certify this map is a true and complete survey made by me or under my direct supervision and all dimensions, angles, and bearings are correct as shown.

Gerald D. Pribula, Registered Land Surveyor
North Dakota Registration Number 2257

STATE OF NORTH DAKOTA)
COUNTY OF GRAND FORKS) SS

On this ____ day of _____, 2011, before me a Notary Public in and for said County and State, personally appeared Gerald D. Pribula, to me known to be the person described herein and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Notary Public, Grand Forks County, ND
My Commission Expires: _____



(PRELIMINARY PLAT)

February 17, 2011

Mr. Tim Solberg
Cass County Planner
1201 Main Avenue West
West Fargo, ND 58078-1301

Dear Mr. Solberg:

Thank you for sending the materials relating to the proposed development of a sugar beet piling location in Section 4, T139N, R52W of Everest Township.

To the best of my knowledge, the plat will meet Everest Townships zoning requirements and flood plain ordinances if a conditional use request is granted for this alternate use of what is now zoned as agricultural land. As you may know, a public hearing for consideration of this matter is scheduled on Feb. 24 at 7:00 PM before the Joint Everest-Casselton Township Zoning Board. I will have better information to present to you after that hearing.

The materials that you have provided indicate that this proposed development is consistent with the Comprehensive Plan of Cass County in part because it will likely result in a decreased impact to County and Township infrastructure. I believe this to be true while looking at the whole picture but must remind you that a decreased impact on one component of infrastructure often results in an increased impact on another component of infrastructure. We believe that will be the case in this instance with an Everest township road, 153rd Ave SE, bearing the brunt of the increased traffic.

A second consideration is the language of the Casselton-Everest joint zoning ordinance section 2. C. 1. under Criteria for Approval of Conditional Use Permit which states that "No conditional use shall be granted unless the Township Board finds the following: 1. The use will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to service the area." At this time it is difficult to assess whether the increased traffic on 153rd Ave. SE will become excessively burdensome, but we do anticipate additional wear and tear on that road.

There are other concerns regarding safety aspects of truck traffic and overlap of truck lines during high hauling periods near Tharaldson Ethanol and I expect those concerns will be made to you by members of that entity.

I will plan to attend the Feb 24 planning committee meeting if there are further questions.

Sincerely,
Tom Teigen, Supervisor
Everest Township

From: [Walton, Bob R.](#)
To: [Solberg, Timothy](#)
Subject: RE: American Crystal Subdivision S4 T139N-R52W
Date: Friday, February 11, 2011 9:30:50 AM

Tim,

Thanks for following up. We are okay with the responses, and will have to see how traffic patterns and loads actually develop. ND 10 is restricted by legal weight, so the biggest issue is the limited vertical clearance under the RRV&W bridge by our Casselton maintenance shop.

Bob

From: Solberg, Timothy [mailto:SolbergT@casscountynd.gov]
Sent: Friday, February 11, 2011 8:21 AM
To: Walton, Bob R.
Cc: Berndt, Keith D.
Subject: RE: American Crystal Subdivision S4 T139N-R52W

Thanks for the comments Bob. Here is their response and attached is a copy of the site plan:

They anticipate trucks will not be using the interstate. From south of I-94 they anticipate them to use Cass County Highway 5 to Cass County Highway 10 to 23. From north of I-94 they anticipate them to use Cass County Highway 10 to 23. The roads in the piling site will be gravel surface.

On the backup of traffic, they are projecting for approximately 25 trucks per hour, therefore do not foresee traffic interruption to the interstate ramps or roadway.

Let me know how you feel about this response, and if you'd like to see any changes prior to our approval. We will be meeting on this on February 24th at 7:00am and you are welcome to attend.

Thanks again Bob,

-Tim

From: Walton, Bob R. [mailto:bwalton@nd.gov]
Sent: Thursday, February 10, 2011 12:58 PM
To: Solberg, Timothy
Subject: American Crystal Subdivision S4 T139N-R52W

Tim,

Since this subdivision is away from I-94 and the frontage road (known as ND Highway 10), we are primarily concerned with two issues.

The first is proposed traffic flow should be such that the likelihood of trucks being backed up on ND 10 or the I-94 ramps during operations is minimized. We are also concerned with the tracking of

mud from the location onto ND 10, the interstate or its ramps. We assume the approaches will be constructed in a way to control material from leaving the Subdivision site.

Thanks.

Bob