



Planning Commission Agenda

Monday, June 15, 2026

Board Room, Lower Level Government Center

Mower County is providing participation in public hearing meetings BOTH in-person at the Government Center and through virtual meetings (see link below).

Call to Order – 5:30 p.m.

Pledge of Allegiance

Approval of Agenda

Approval of previous meetings minutes (5/4/2026)

Public hearing(s):

CUP #1010 To allow for commercial, state-licensed outdoor cannabis cultivation on a proposed 44.24 -acre parcel described as being in the W1/2 of the NW1/4, Section 19, Twp 103N, Range 17 West, Mower County Minnesota per survey provided by G-Cubed Engineering dated 4/21/2026, by Geoffrey G. Griffin.

Application includes 44.24+/-acres of outdoor cannabis cultivation which will operate from March - November: lot will be split into 21 - 1 ½ acre lot, each containing one – 40'x8' shipping container, containers will be utilized post-harvest for activities such as drying, curing, and packaging, plus one 16'x6' shed to be used for security equipment, irrigation components, and agricultural tools. Each lot will have parking for two vehicles and one spot for loading and unloading, each space will be 10ft 20 ft (200 sq ft). 24 -hour security with camera coverage of gates and building entrances including cultivation. Existing well will be used with the addition of a 5-6-inch pump. Existing barn - 90'x48' and house (1569 sq ft) will be used for non-cannabis storage and employee facilities. One entrance off main road, 66ft wide easement on the gravel driveway - water irrigation usage will be under 10,000 gallons per day for the first year after which a well appropriations permit will be applied. Approximately 20,000' of 8' high of deer fencing on the perimeter with privacy screen. Section 19, Red Rock Township, Owner is McIntire Feed & Grain, Applicant is Austin Property RE JV LLC, located in Section 19 of Red Rock Township. Owner is: McIntire Feed and Grain Inc c/o Applicant is: Austin Property RE JV LLC

Other business

- Staff Update: (ex. Board outcomes, status on permits with timelines, other status updates, upcoming items)

Motion to adjourn meeting

If you require accommodation to participate in this event, please contact Planning and Zoning at 507-437-7718 so necessary arrangements can be.

Join the Public Hearing via TEAMS:

<https://teams.microsoft.com/join/19%3ameeting-OGQwMjNiMGMtZDdiOC00ZWQxLWJiZDQtYTE2ODRhZGMzYmZm%40thread.v2/0?context=%7b%22Tid%22%3a%2203ad108c-b1eb-427c-a713-5d96cdada4f3%22%2c%22Oid%22%3a%22c2b4b17e-fb66-43a3-99d3-a942ec0f0163%22%7d>

[OGQwMjNiMGMtZDdiOC00ZWQxLWJiZDQtYTE2ODRhZGMzYmZm%40thread.v2/0?context=%7b%22Tid%22%3a%2203ad108c-b1eb-427c-a713-5d96cdada4f3%22%2c%22Oid%22%3a%22c2b4b17e-fb66-43a3-99d3-a942ec0f0163%22%7d](https://teams.microsoft.com/join/19%3ameeting-OGQwMjNiMGMtZDdiOC00ZWQxLWJiZDQtYTE2ODRhZGMzYmZm%40thread.v2/0?context=%7b%22Tid%22%3a%2203ad108c-b1eb-427c-a713-5d96cdada4f3%22%2c%22Oid%22%3a%22c2b4b17e-fb66-43a3-99d3-a942ec0f0163%22%7d)

Meeting ID: 254 936 550 895 106

Passcode: MJ6Ez2XX

MOWER COUNTY PLANNING COMMISSION

Minutes of the Mower County Planning Commission, 5/4/2026

Members Present: John Mueller, Sean Lutz, Nathan Toland, Steve Gleason and Ann Reinartz

Members Absent: Pete Thome

Others Present: Angie Lipelt – Mower County Environmental Services Supervisor, April Grabau – Mower County, Val Sheedy – Mower County Deputy Administrator, Pedro Piquor (online), Samantha Johnson (online),

A Quorum was established. John Mueller called the regular meeting to order at 5:30 p.m. on 5/4/2026, in the Board of Commissioners Room at the Mower County Government Center, 201 1st Street NE, Austin, Minnesota.

Motion was made by Toland and seconded by Gleason to approve the agenda as printed. Motion carried unanimously.

Minutes of the 3/2/2026, meeting was approved as printed, a motion made by Lutz and seconded by Reinartz. Motion carried unanimously.

Minutes of the 4/6/2026, meeting was approved with one edit on page three Brea spoke about the 2002 plan not the 2008, a motion made by Reinartz and seconded by Lutz. Motion carried unanimously.

Planning Commission

Chair Mueller called the Public Hearing to order. The 1st item of business

CUP #1009: request to operate an outdoor state licensed cannabis cultivation campus for micro business license holders. It will be a managed facility with standard cultivation sites, each measuring 150' x 300' arranged within the parcel. Each site will contain 26 cultivation rows (275' x 3' each) for growing cannabis plants from seed to harvest. Section 10, Austin Township. Property owner is Matthew Johnson, Applicant is Black Husky LLC

Angie Lipelt reviewed the request and discussed the three options the Planning Commission members may take:

1. DENY THE REQUEST;
2. TABLE THE REQUEST FOR MORE INFORMATION.
3. GRANT THE REQUEST IN ACCORDANCE TO WHAT THE APPLICATION SPECIFICALLY REQUESTED AND WAS LEGALLY NOTICED FOR – OUTDOOR CULTIVATION OF CANNABIS. (The PC will need to formulate Findings of Fact to support this decision with or without conditions)

Lipelt reviewed the background of the property and the 20 recommended conditions if the Planning Commission chooses to move forward with approval of the request.

Dillon Stutler, St. Paul, representing Black Husky LLC

He disagreed with the staff's odor predictions regarding the distance odors travel. According to the airport records winds tend to travel south, away from town.

In the odor mitigation 2.0 packet it states that winds tend to come from the south during the 4-5 weeks of peak flowering season.

They have proposed an 8-foot fence and odor mitigating plantings.

Regarding the residential area nearby, they are proposing this request in an agriculture zoned area, which is an approved conditional use.

Lipelt stated companion planting has been mentioned, but no details have been given.

Stutler said they would like to be good neighbors and would like the county to let them know what they would require for plantings.

Lipelt asked about the wind flow.

Stutler responded yes, 67% of the time the winds blow south.

Lipelt stated that is incorrect, winds predominantly come from the south and blow north.

Stutler asked in which direction the winds are blowing in September to October.

He also asked what crops were previously on the site, and were they irrigated.

Mueller stated there have been rotating crops in the past, but they are not irrigated. And irrigation would come from a private well traditionally, not a municipality.

Stutler stated they would like to use municipal facilities in the first year until a well could be drilled. Staffing, maximum 10 on site at one time, shifts would stagger. More like a maximum of 50 people on the property at a time.

Regarding inconsistencies; there have been some as we have adjusted our plan as we go.

They are aware that anything other than growing cannabis would require an amendment to the CUP.

Pedro Piquor consultant to Black Husky, from Minneapolis MN. For the CUP that they are requesting for outdoor growing only, drying is part of the harvest process. No retail, no manufacturing, no product use. The gym is not usable for drying and they will not be using it until the owner repairs it. They are aware of the 8' fencing requirement and that is the plan. They are looking to provide a service to many people that need it. The supply of cannabis in Minnesota lacking.

Mueller asked about the site plan and asked what would be done for drying. How is the freezing process done.

Stutler stated this year they would have to freeze the product and send it to a manufacturer because of the narrow timeline.

Lipelt said the freezing process was not included in the request.

Stutler asked if portable freezers can be used on each tenant space.

Mueller asked what would be on each suite.

Stutler believes the request would have to be rescinded and changed to include the sheds needed on each suite. The intention is to help micro licensee's, so one licensee per suite.

Mueller asked about the layout of the odor control plantings.

Stutler said they would do whatever the Planning Commission puts into the CUP for planting requirements, approximately 5360 linear feet around the perimeter that would need companion planting.

Mueller asked about the water plan.

Stutler asked Pedro for any specifics on that.

Pedro stated they have reached out to the Austin Utilities but he is not sure of the response other than they said they can provide utilities

Stutler said there is over 30 years of experience on their team.

Mueller asked about hours and days and lighting.

Reinartz asked how much water is required.

Stutler said for the entire property at peak grow is 15,000 gallons per day. I do not have an annual number. During harvest time they have a morning and afternoon shift from dawn to dusk. There is lighting for security per OCM.

Mueller asked if anyone would live onsite

Matt Johnson said currently no one lives on the property.

Gleason asked if there would be any artificial lighting on the plants.

Stutler said no artificial lighting.

Toland said on the suite spec sheet it looks like 6 cameras per suite; do they require lights.

Stutler said no, there will be motion sensor lights for security. All camera videos must be saved for 90 days per OCM. They partner with local law enforcement in case of alarms going off.

Toland asked what sheet metal fencing looks like to the public.

Stutler said galvanized sheet metal that he believes is white held up by posts for exterior fencing. Interior fencing would be 6' chain link.

Val Sheedy said that is OCM's requirement. No product should be visible to the public.

Toland said on the south end of the site is very swampy, do you have a plan to use that area.

Stutler believes there would be a 150' setback on the south side to leave the swampy area alone. The suites would be built out all at once, they get better prices and less disruption to the neighbors that way.

Toland said in the late summer we get a southerly wind, which will blow the odor directly into town. We do not see any technology that would mitigate this. I would think you would pull out all the stops due to the location adjacent to the city.

Stutler said they have not found a product that is proven to mitigate the odors. The initial goal was to use supplemental crops and buffers to keep this affordable. But they will abide by the Planning Commissions conditions.

Reinartz said it takes time to get the odor mitigating plants to grow enough to work.

Public Comment for x 3: NONE

Public Comment against:

Janie Donovan, 1816 4th St Se. Having a fence be our view on 9 acres is not what we want, the odor, the lights, the dust. All of these are going to disrupt our peaceful property on the edge of town. This could negatively affect property values.

Gary Andressen 1815 4th St SE. The wind does blow from the south. What kind of pesticides and fertilizer are going to be used that would affect the runoff. The number of workers and traffic is concerning.

Shay Spear, 1811 4th St SE, operates a daycare with 10 children under the age of 4. They play outside a lot, September and October are months we spend long periods of time outside. Woodson also takes their kids outside every day. She feels there must be better locations. If a well has to be installed on the property, will that affect others.

Mueller said regarding the well they area drilled to specific Aquaphor's.

Curtis Hannah, 1818 4th St SE, he believes due to the incompleteness of the application it should be denied.

Vicki Trimble 303 4th St SE, there is a lot of traffic with a school there, busses and drop offs.

Lipelt said the Woodson school is about ¼ mile north of the. She also spoke about wells and the state regulations.

Public Comment against:

Connie and Bill Hardwick, 1914 4th St SE, the access to their property is a shared easement with the property requesting this conditional use. They are definitely worried about sharing one driveway with up to 100 cars. The tree line to the north is his tree line. He has nothing against this product or a business, but the plan is not complete and should not be approved.

Mike Beebe, 2119 4th St SE, they live directly across from the property. There is one light currently on the barn that already prevents them from opening their curtains at night. With all of the fencing and lighting it is going to look like a prison. He definitely opposes this request.

Public Comment against:

Holly Wallace, P&Z for City of Austin, wanted to clarify that the written documents and letters are part of the record.

Hannah said he has friends in Red Wing that cannot open their windows because of the smell of a cannabis grow nearby. He is very concerned about the odor.

Dan Vermilyea, this is a property rights issue. The people that live in the area will be affected and this board should not approve of something that negatively affects them. The ordinance needs to be modified. It was pushed on the county and fast tracked without much guidance. Now that we have some experience the ordinance needs updating.

Lipelt said we received five letters in the office, all opposed, from the following: City of Austin, John and Kimberly Waller, Lauren Bakken, Chris and John Wobschall, and Casey Lind.

Mueller concluded the public hearing.

Reinartz asked about setbacks to daycares.

Lipelt stated there is not one currently for a grow operation. For retail there is.

Lutz asked if the applicant chooses to rescind, do we go through the findings of fact?

Lipelt said no.

Mueller talked about utilities, odors, lack of diagram for planting,

Gleason said the concern is the CUP goes with the property, not the operator. He does think there is enough information to move the request forward.

Reinartz said there are too many holes in this request.

Lipelt reviewed the options:

1. Grant with conditions
2. Deny
3. Table
 1. Rescind and reapply
 2. For further info to support the FOF and extend 60 days

If the Planning Commission does nothing the request is automatically approved.

Stutler said they would like to rescind and not reapply. They would prefer to keep a good relationship with the county and find a location that is more appropriate.

Matt Johnson, landowner, said the intention was to bring something positive to the area, with the response, that is not fitting at this time. So yes, he agrees to rescind the application.

A motion was made by Toland and seconded by Gleason to accept the rescind from the applicant. Motion carried unanimously.

Ordinance Amendment: Request to modify the Zoning Ordinance, **Article 1, Division 3, Section 14-18.2.** Language to be added regarding abatement, annual fee schedule, swine lagoon requirements and feedlot setbacks.

Danielle Anderson, Feedlot Officer presented proposed ordinance changes.

Gleason asked the definition of closure.

Anderson said a closure notice is signed and dated and the structure must be cleaned and cannot be used for manure.
She has written a policy on the process to close a feedlot.

Reinartz, do people realize what they are doing when they choose not to maintain feedlot status.

Lipelt said we make every effort to contact them via letter, phone calls, etc. to explain, but we get little response.

(G)Annual Fees – over 10 AU, assess fees to those who do not pay these fees.

Anderson gave an overview of feedlots that this would affect.

Gleason asked how many feedlot permits are there in the county

Anderson said approximately 563.

Sheedy explained the reason for the \$42

Reinartz said to put those that do not pay in the paper, so all the neighbors know.

Mueller said paying the county fee provides a user protections that the state level does not.

(I)Prohibit New Swine Lagoons, the state law lapsed in 2022 and we want to make it a county ordinance so we can enforce this in Mower County.

(O)(P) Existing Dwelling Language; structures can be rebuilt if destroyed

(S)Abatements

Public Comment for:

Dave Lunning, regarding the 1000 foot setback. Will this benefit our situation with the Stockdales. Will this prevent the properties from being non-conforming. As this is written, we are in support of all the changes in this ordinance.

Stockdale, Kayla in support of all language changes proposed.

April Grabau, supports the language regarding setback, it will protect the rights of both feedlot owner and existing residences nearby.

Public opposed:

Dan Vermilyea, asked if site visits have been done to the 14 sites that have not paid fees. They should be visited before abatement. He also believes there should be a committee for ordinance review like there was for the Comprehensive Plan. So that the ordinances support the comprehensive plan.

Anderson said yes, this would give the feedlot and the dwelling equal rights to rebuild at the same or further distance.

Anderson asked how can she force people to have a face to face inspection when she cannot get a response from them. Certified letters were sent to all of the properties with outstanding fees.

Dave Lunning said if you are going to look at these ordinance changes individually can you approve some portions and table other portions.

Mueller said yes, that could be done.

Sheedy stated there will be ordinance changes due to the comprehensive plan updates. She is going to recommend the staff look at the areas of the ordinance that are more pertinent. This Planning Commission is our PAC, this is the review process.

Vermilyea asked why you have a PAC for a comprehensive plan but not for the ordinances, which are the meat and potatoes.

Anderson reviewed the process before abatement would take place.

A motion was made by Gleason and seconded by Reinartz to recommend approval to the ordinance 14.82 f and g, feedlot fees as written (policy to site visit?). Motion carried unanimously.

A motion was made by Lutz and seconded by Gleason to recommend approval to the ordinance 14.82 i and s swine lagoons as written. Motion carried unanimously.

A motion was made by Toland and seconded by Reinartz to recommend approval to the ordinance 14.82 o, p, q and r, existing dwelling/feedlot setback as written. Motion carried unanimously.

A motion was made by Lutz and seconded by Gleason to recommend approval to the ordinance 14.82 s, abatement as written. Motion carried unanimously.

A motion was made by Lutz and seconded by Gleason to adjourn the meeting. Motion carried unanimously. Chair Mueller adjourned meeting at 9:17 p.m.

STAFF REPORT			
Application Date:	5/7/2026	Public Hearing Date:	6/15/2026
60-day Deadline:	7/6/2026	Rezone Request?	n/a
Variance No.	n/a	Conditional Use No.	1010
		COC Valid Through:	

OWNERS	McIntire Feed and Grain Inc c/o and	PETITIONERS:	Travis Hermiz
	PO Box 9		Austin Property Holdings LLC
	Stacyville IA 50476		960 Dedham Court Bloomfield Hill, MI 58302
	248-4699-7066 travishermiz@yahoo.com		248-4699-7066 travishermiz@yahoo.com

LOCATION:	Sec 19 Township 103 Range 017 W450FT S210FT N900FT NW1/4 NW1/4				
PIN	16.019.0010				
SECTION	19	TOWNSHIP	101	RANGE	17
TOWNSHIP NAME	Red Rock MOWER COUNTY, MINNESOTA				

REQUEST / PURPOSE:	Outdoor cannabis grow facility Conditional Use Permit request for: To allow for commercial, state-licensed outdoor cannabis cultivation. Application includes 44.24+/-acres of outdoor cannabis cultivation which will operate from March - November: lot will be split into 21 - 1 ½ acre lot, each containing one – 40x'8' shipping container, containers will be utilized post-harvest for activities such as drying, curing, and packaging, and one 16'x6' shed to be used for security equipment, irrigation components, and agricultural tools. Each lot will have parking for two vehicles and one spot for loading and unloading, each space will be 10ft 20 ft (200 sq ft). 24 - hour security with camera coverage of gates and building entrances including cultivation. Existing well will be used with the addition of a 5-6-inch pump. Existing barn - 90'x48') and house (1569 sq ft) will be used for non-cannabis storage and employee facilities. One entrance off main road, 66ft wide easement on the gravel driveway - water irrigation usage will be under 10,000 gallons per day for the first year after which a well appropriations permit will be applied. Approximately 20,000 feet - 8 feet high on the perimeter of deer fencing with privacy screen. Application DOES NOT include retail, on-site consumption, manufacturing or processing, public access or events.
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ORDINANCE CITATION	Mower Co. Cannabis Ordinance 06-24 item 3.2.1 and Zoning Ordinance Section 14-51
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EXISTING LAND USE:	Agricultural farmland, residential structure and accessory structures
EXISTING ZONING:	Agricultural

PREVIOUS ZONING REQUESTS:	REZONE Date / purpose	C.U.P. Date / purpose	VARIANCE Date / purpose
	n/a	n/a	n/a

SURROUNDING LAND USE & CURRENT ZONING:	ZONING	LAND USE
NORTH	Agricultural	Farmland, rural residence
SOUTH	Agricultural	Farmland, rural residence
EAST	Agricultural	Farmland, rural residence
WEST	Agricultural	Farmland, rural residence
OTHER:	City of Austin is 1.19 directly west of the subject site.	

STAFF REPORT: Section 14-31 of the Code states that no conditional use permit shall be granted unless it is found:

1. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.
2. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use.
5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

BACKGROUND INFORMATION:

My first concerns IS with applicants responses to questions I posed that they only intend to have 4 of the 20 sites this year. That is not the issue being considered; the request presented to the county is for 20 sites. The Planning Commisison must evaluate this application as if all 20 sites are all fully functioning – as that is what the request is for. If the applicant wishes for Mower County to only evaluate 4 sites being used – that is what the application needs to be submitted for and that is what will then be considered. I request the Planning commission dismiss any reference to 4 sites and minimalizing the full impacts of the intended use of the property.

Secondly; The MN Dept. of Natural Resources regulates the use of water. A DNR Water Appropriation permit is required for 10,000 gallons of water per day or 1 million gallons per year. Applicant is proposing 20 sites for cannabis grow with irrigation systems for all sites. If you calculate this into water consumed per day, per site that comes down to 137 gallons of water per site/day based on a 365 calendar day year. While cannabis is not likely to be growing year round on the site – you would double the 137 to consumption of 274 gallons of water per day to each (20) sites for 6 months out of the year is equal to 1 million gallons of water per year. I suggest the applicant reconsider the need for a DNR Water appropriation permit, or place a water meter on the well to monitor water use and submit that to Mower County and the DNR so that accurate measurements of water consumption are made. Per AI inquiry; commercial engineers generally calucate a maximum requirement of 1 liter of water per day per sq. foot of flowering canopy. Actual water consumption will vary based the life phase of the plant. 1.5 acre lot x 50% flowering canopy coverage would consume 8,630.5 gallons per day. Normally canopy coverage ranges from 27% to 100% coverage. If calculated at 27% coverage (most conservative) plants are anticipated to consume 4,660 gallons per day per each 1.5 acres planted. Based on this information I was able to find on the internet, staff believes applicant will need DNR Water Appropriation permit or have metered documentation showing it is not needed. If needed, a meter is required by the state to determine actual gallons consumed. Please ask the applicant to provide his calculations for the site that shows his conclusion to anticipated water use on the fully functioning site to be less than 1M gallons per year.

Staff is satisfied with applicants response to emergency services access (will be provided for emergency needs), lighting (none being added to what currently exists, with the exception of motion detection), 8 ft external fencing and 6 ft internal fencing; and use of residual cannabis plants/stems/leaves for compost and reuse as a soil enhancer.

Staff is in need of a parking/loading plan that complies with Mower County Zoning Ordinance for review. Based on the applicants response to the number of employees at this site; the maximum number of employee vehicles at this location would be 40; plus any transport vehicles in/out of the site. Staff disagrees with applicants response that use of this property will not impact traffic or dust. Dust control measures are suggested based on the anticipated employees and transport vehicles. An additional 40 vehicles per day is a substantial increase in traffic, especially for township roads.

Applicant stated that transport vans will be apx 1 Ton in size and will be onsite for approximately 30 minutes for pick up. However the applicant didn't state how many vans would be there daily or at maximum during peak time (assumed to be harvest). This information is important for the county to consider. Staff suggest this question be posed by the Planning Commission to the applicant.

Applicant expects normal operations between dawn and dusk, mostly between the hours of 8:00 am and 6:00 pm, except during harvest.

Septic system: The septic system was designed for a 5-bedroom home. A 5 bedroom home is designed to sustain 750 gallons of water per day. With approximately 40 workers using the system; Mower County recommends the system be equipped with a water meter and that monthly readings are submitted by the landowner/applicant/operator to determine the system is not exceeding it's designed capacity. Should it exceed it's designed capacity, the system will need to be enlarged for the additional use. If the primary system needs enlargement; the secondary location may also need to be evaluated. This determination will be made at the sanitariums discretion and the area needed for enlargement.

STAFF'S CONCERN REGARDING ODOR:

The applicant's intent is to create 20-cannabis suites which will be sublet to other micro cannabis business operators for outdoor cultivation of cannabis.

The number one issue relating to local units of government regarding cannabis grow, manufacturing and processing facilities are complaints related to odor from adjoining landowners and how it impacts them. Numerous communities have had to deal with this issue after-the-fact and have had difficulty imposing controls after the use is established. It is in the best interest of the community and the government to address this before land-use is established and has a vested interest in a particular property.

For a conditional use permit to be granted it is the responsibility and burden of the applicant to demonstrate that any potential nuisances or use of that land which may impact other properties in the immediate vicinity will not be injured for the use and enjoyment of their property will be mitigated.

As was provided during the Till MN cannabis cultivation application odors from an outdoor grow facility can travel and be carried as far as one mile. Distance to neighboring residences is clearly important for the two landuses to cooperatively exist.

Nuisance odors are recognized as affecting human health through psychological pathways, including stress-mediated headaches and sleep disruption.

Although the US Clean Air Act sets emission standards for a handful of pollutants, the federal. state government does not regulate environmental odors. There may be components of various odors that are regulated unless a community has established some policy. Otherwise, odors are regulated as nuisance violations. Manufacturers and CAFOs have been recognized sources of odors and there have been some technologies to mitigate odors. The cannabis industry is a new player in this realm.

Increased cultivation of this long-banned crop is giving rise to concerns among some neighbors about the pungent odors it can produce. The smells are especially strong during flowering which typically lasts 4-5 weeks before harvest. These smells are distinct from those produced by burning cannabis; they are the aromas of the plants themselves, which vary depending on the cultivar or strain. Research has indicated that odor is a subjective experience from one individual to

another and the degree of offensiveness that someone perceives or feels, can have an effect on the stress response that they experience.

WIND ANALYSIS – MOWER COUNTY

As you are aware, outdoor cannabis facilities will plant crop in the spring and harvest in the fall. During this time the predominant winds will come from the south and blow northward. If you were to set the center of clock on the subject parcel predominant winds during the growing/harvest season generally blow in the direction between 10:00 and 2:00 of a clock face. During winter months, winds blow basically opposite between 4:00 and 8:00.

What does this mean? This means that in generalities that is where you can expect the winds to blow. But they don't always blow those directions all the time. Winds can blow in any direction, at any time and sometimes they can be quite still and the air can be quite heavy. The direction winds blow, the miles per hour they blow and the humidity level in the air can all affect wind and how they carry odors. I learned this from many years, (apx 30 now) working with feedlots in Minnesota.

Environmental factors can affect how far odor travels include, but are not just limited to, the intensity of the odor, the chemical compounds making up the odor, the topography of the land, humidity, wind speed, and volatility of the odor compounds. How intense odors are detected are based on concentration, the area (size) releasing the odor, wind and airflow and humidity. People perceive odors differently and at different intensities. And while not a scientific fact, how people perceive odor sometimes depends if they can see and how they perceive the source. Sometime it is objective. For example – when I was a young girl my father would tell me at the whiff of a hog facility that that was the smell of money. For someone involved in agriculture that may be their perception. For those not – it may be quite literally something else.

I digress: Relative to this specific application, the subject cannabis grow site lies within rural Red Rock Township. The closest neighboring residence is: 633 feet to the west. The number of days this site will be impacted in comparison to a site that is located northwest, north or northeast will be minimal based on “generalities”. Winds are less likely to travel to the west through the summer. But am I saying they won't ever smell it; the answer is no. They are just not likely to smell odors from the cannabis site, based on probabilities.

Those most likely to be impacted are those located north, northwest and northeast. Those dwellings are located at 772 feet and 1340 feet (just slightly over ¼ mile). Being these two residences are closest to the cannabis grow facility and are in the general direction the winds will blow during the growing season – they have the potential to experience odor, especially during the flowering of the plant and during harvest. Odors generally dissipate over distance, and depending on the turbulence of the air created in between the sending and receiving parties.

The potential of affected properties for odors is significant, and staff has concern that the applicant's odor mitigation plan may not be attentive enough to protect these adjoining landowners. From the get-go of interest in this parcel Mower County Environmental Staff have expressed to the applicant that the odor issue seems to be the biggest challenge for outdoor cannabis grow facilities and had requested a detailed, scientific study to address these issues. I was provided with an assessment completed by Elite Environmental Services but feel it lacks the scientific data requested. I am leaving the report in the hands of the Planning Commission to determine if it provides the information needed to make a sound, scientific decision as to how impacted adjoining landowners will be.

On multiple occasions with multiple cannabis applicants, they have referenced the Right to Farm Act of MN. If this is to occur before the Planning Commission, I want to educate you on what that act says and when it was enacted and I am providing you with a copy in the packet. I believe this bill is misused and misplaced and I question if it was read by the parties using it as a defense.

1. The Right to Farm Bill was adopted in MN in 1982, prior to the time cannabis was legalized to grow. The bill has not been updated to include cannabis, nor was cannabis an agricultural crop at time the bill was created.
2. “The right to farm, does not allow the right to harm” in fact in Subd. 2 it clearly states that an Agricultural operation is not to be or to become a nuisance.
3. Subd. 2, (2) says it must comply with provisions of all forms of government, including federal laws. Cannabis remains federally illegal for most recreational and general commercial purposes, although the federal government classifies certain FDA-approved products and state-licensed medical marijuana under the less-restrictive Schedule III. Therefore, their defense under the right to farm bill, is meaningless.

They will also compare themselves to a feedlot. Here is what you need to know on that subject and why the two are not the same:

1. Under the Mower County Ordinance Feedlots are subject to 1000-foot setback from a neighboring residence; cannabis grow facilities are not.
2. Feedlots by law, are subject to a 3-day odor exemption period; cannabis grow facilities are not.
3. Under the 3-day odor exemption period, feedlot operators are required to notify the governing feedlot officer (whether state or local) that they are claiming that exemption and must contact the feedlot officer informing them of the specific three days that exemption is being claimed; cannabis grow facilities are not subject to this standard.
4. Feedlot odors are most prevalent when the pits or earthen basis are being mixed and it is the mixing, which causes gases to be released. One of these nuisance causing gases is hydrogen sulfide. Hydrogen sulfide is regulated by the MPCA. If a feedlot exceeds hydrogen sulfide levels at the existing property line the feedlot operator must correct the discharge or shut down the operation. Cannabis facilities are not subject to similar regulation.

MN Statute 342, known as the cannabis law states that the Office of Cannabis Management is to address cannabis odor. As of the date of this staff report; they have not. They are working with the MPCA to address cannabis odor but there is no guidance document produced at this time from any state agency during the time these facilities are being proposed, constructed and put into operation. The State of MN concludes we are merely, "working on it". In the meantime, they say that the responsibility currently lies with the local unit of government charged with permitting authority: That makes us, Mower County, the responsible party to regulate odor.

The applicant's plan for odor control includes:

1. Wind and dispersion from preserved natural tree line however, the applicant failed to provide any statistical data showing the intensity of odor at the property line and how that decreases in intensity based on the topography or natural vegetation in any direction, supported by scientific data. They merely state that the predominant winds occur at varying times throughout the growing and harvesting seasons and levels will decrease.
2. Plant genetic selection - Applicants state they will limit various varieties to abate odor. Staff recognizes that various plants have reduced VOCs, odor or terpenes; but there still is odor produced that is perceived differently from individual to individual.
3. 8 ft sheet metal perimeter fencing - Applicant states that the fencing acts as a physical windbreak that disrupts laminar air flow, increases turbulent mixing and accelerates the dilution of terpene laden air before existing the property boundary. Staff again is concerned that the applicant fails to provide statistical data which demonstrates applicants' assertion is true, false and by how much or little this control measure truly mitigates odor from leaving the property. I agree with the generality of the concept.
4. Vegetative buffer planting; examples include, but are not limited to - sunflowers, corn, lavender, peppermint and lemon balm intermixed within each growth plot. Staff is aware that buffering plants assist in odor control, the applicant has failed to clearly provide information as to how much is being planted, and any statistical data provided to demonstrate the effectiveness of this strategy.
5. The applicant is proposing spraying of hydrogen peroxide, manually. Hydrogen peroxide treatment may provide some odor abatement but has mixed reviews. Predominantly it is used to keep the plant healthy from certain fungus and molds which may affect odor.
6. According to a committee blog: A Guide to Navigating Cultivation Environmental Requirements by the National Cannabis Industry Association they make the following recommendations for outdoor cultivators to follow:
 - Hire a professional to do an odor study to prove your facilities compliance. While the applicant did provide an environmental company to provide a report; it seemed to be lacking the requested scientific statistical data supporting the assertions made. It does not talk about the volume of VOCs or turpines leaving the property and what those anticipated concentrations would be and then the rate of decrease based on dispersion, wind speed, weather conditions (heat/humidity) or distance traveled. In my opinion, it made general statements, which in theory are "generally true" but it doesn't provide how intense is the odor onsite and at each locational receptor – the neighboring residences within a 1 mile radius. That information is lacking.
 - Plant fragrant flowers around the exterior of the site – applicant has provided information related to this.
 - Use oxidation treatments through high pressure misting devices around our cultivation area. The applicant is proposing manual hand held spraying of hydrogen peroxide. Staff finds this proposal ineffective and studies show a mixed review as to being an effective odor control method. Based on readings found on the internet – the health benefits are really to the plant to control fungus and mold

which may contribute to odor – reports are inconsistent if the treatment itself affects the VOCs and terpenes. Because of hand-spraying - nothing will be consistent from site to sight.

THE FOLLOWING CONDITIONS WOULD BE RECOMMENDED Should the Planning Commission want to proceed forward with approval:

1. Applicants shall follow all local, state, and federal regulations regarding the proposed use; and
2. The conditional use permit shall become void if the use is established but then discontinued for a period of one (1) year. (Refer Section 14-36 Discontinuance).
3. A conditional use permit shall become void two (2) years from the date of approval by the County Board if no construction has begun or the use has not been established. For the purposes of this provision, construction shall include the installation of footings, slab, foundation, posts, walls or other portions of a building. Site preparation, land clearing or the installation of utilities shall not constitute construction; and
4. A Zoning Permit shall be obtained prior to placement or construction of any structure or building on the property. A change in use for the existing structures from use to another may require additional permitting. It shall be the applicant's responsibility to find out what the existing structures are permitted for and if the future proposed use complies with the permit as issued. Some structures may need to meet building code standards to protect the health, safety and welfare of employees who will be within them. The landowner shall be responsible for demonstrating to the county those codes have been met or exceeded based on a structural engineers report to be filed with the county; and
5. A secondary Type I system site has been located for future placement and placed on a map and kept on file in the CUP file and homeowner's records. The area should be preserved and protected from compaction and/or construction or other damage. If a Type I septic system primary and secondary site(s) cannot be located on the proposed parcel, a variance is required before a zoning permit can be issued, or the site is not developable for residential purposes.

A meter shall be installed which meters the flows entering the septic system. The landowner is responsible for submitting accurately reflected flows on a monthly basis to Mower County sanitarian for review. Should the flows exceed the levels in which the system was designed, the landowner shall be responsible for upgrading the system to support the actual flow rates. The Mower County sanitarian shall have the authority to change the frequency needed for reporting, once they have adequate data establishing a good baseline.

6. Wetland Review required: Petitioner must contact the Mower County SWCD regarding the Wetland Conservation Act and provide the County with a copy of one of the following:
 - a. A "No Loss Determination" (no wetlands on site).
 - b. A "Wetland Exemption" (the act does not apply).
 - c. A "Wetland Replacement Plan" approval.
7. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition; and
8. The Owner/Applicant shall contain any blowing or loose garbage/debris onsite by any means necessary which may include perimeter fencing; and
9. The Owner/Applicant shall work cooperatively with Mower County to mitigate any issues brought to the attention of the County that are found to be legitimate that may create a nuisance to adjoining landowners from the proposed use, and
10. The Owner/Applicant shall abide by all road and bridge weight restrictions or postings that apply to roads used as an ingress/egress to the property; and
11. The Owner/ Applicant shall provide adequate area onsite to park, back, turn-around and maneuver so as to not create a nuisance or hazard to the traveling public. Vehicles cannot be parked or backed onto the premises from the road or its right-of-way.

The landowner shall provide a parking and loading plan which meets the standards of the Mower County Zoning Ordinance. That plan shall be submitted and approved by the Environmental Services Office prior to commencement of the land use; and

12. The Owner/Applicant may be required to provide adequate dust control, (but not to utilize used oil which is an illegal practice) so as not to create a nuisance to neighboring property from the additional traffic generated; and

13. The owner shall implement the following, or an approved combination of the following by the County Board for odor mitigation and shall not become an odor nuisance (verified by Mower County or other state agency) to adjoining landowners:
 - a. Use companion planting to help blend the smell with nature such as, but not limited to lavender, jasmine, lilac, thyme, mint or basil; and/or
 - b. Choose less pungent strains of cannabis;
 - c. Tall plantings IE shrubs/trees to create a screen and to disrupt air movement;
 - d. Use carbon filters for indoor grow, storage, processing or manufacturing onsite;and/or
 - e. Oxidation, Odor Neutralizing techniques.
 - f. Other: future technologies as they become available.
 - g. If necessary, halt operation of the facility until a scientifically backed odor abatement plan is accepted by Mower County and implemented onsite.
14. The Owner/Applicant shall be liable for any road damages as a result of this operation as stated under MN Statute 169.88; and
15. Any vermin, flies, or other pests shall be controlled; and
16. No burying of waste material is allowed and to do so would be in violation of MPCA Regulations and Mower County Solid Waste Ordinance; and
17. The well shall be metered to determine the gallons of water used. Reports shall be submitted to Mower County on a monthly basis. Once it is determined that the landowner exceeds either 10,000 gallons per day or 1 million gallons per year a DNR water appropriation permit. Once the DNR permit is issued; reporting to the DNR will be sufficient in fulfillment of this condition.
18. The landowner and any leasing parties shall operate the site as presented during the public hearing process and the conditions of this CUP. This permit is issued and based upon representation given by the applicant during the hearing process and any misrepresentation presented in this process may be grounds for revoking the permit.

Applicant Please Note:

Reference: Minnesota Statute 169.88. "Any person driving any vehicle, object, or contrivance upon any highway or highway structure shall be liable for all damage which the highway or highway structure may sustain as a result of any illegal operation, driving, or moving of such vehicle, object, or contrivance, or as a result of operation, driving or moving any vehicle, object, or contrivance weighing in excess of the maximum weight in this chapter but authorized by a special permit issued as provided in Sections 168.80 to 169.88.

When such driver is not the owner of such vehicle, object, or contrivance, but is so operating, driving, or moving the same with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any such damage. Any person who by willful acts or failure to exercise due care damages any road, street or highway or highway structure shall be liable for the amount thereof. Damages under this section may be recovered in a civil action brought by the authorities in control of such highway or highway structure."

Enclosures:

- ☒ Staff Report
- ☒ Copy of the Application
- ☒ Applicant's response to Findings of Facts

- ☐ Applicant's submittal, if any
- ☒ Affidavit of Mailing (including map and notice)
- ☐ Zoning Map – when not addressed by site map
- ☐ Ordinance citations
- ☐ Other: _____

Copies

- ☒ Planning Commission
- ☒ Applicant: ☒ via email ☒ via U.S. mail
- ☒ Copies will be provided to the public upon request
- ☒ File of record

Do not write above this line – Recorder Use Only

APPLICATION FOR CONDITIONAL USE REQUEST

MOWER COUNTY ZONING ORDINANCE, EFFECTIVE: 1/1/2003

DATE	May 8, 2026	CUP#	1010
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SHORELAND	No	ACREAGE	44.24	ZONING DISTRICT	Agricultural
SEPTIC INSTALLED	11/28/2025	COC VALID TO	11/27/2030		

PIN #	Portions of the following (existing) parcels 16.019.0010 16.019.0011 16.019.0015	PARCEL ADDRESS	24826 560TH AVE AUSTIN MN, 55912						
SEC	19	T	101	N	R	17	W	TWP NAME	Red Rock
TAX LEGAL DESCRIPTION									

OWNER 1:	OWNER 2: If applicable	APPLICANT
McIntire Feed and Grain Inc c/o Donald W. Burns, President		Austin Property RE JV LLC c/o Travis Hermiz
PO Box 9 Stacyville IA 50476		960 Dedham Court Bloomfield Hills MI 48302
Phone: 641-220-2624		248-469-7066

The remainder of this document was left blank intentionally

PROPOSED USE OF LAND:	Conditional Use Permit request for: To allow for commercial, state-licensed outdoor cannabis cultivation on the parcel shown in survey and as described by submitted legal description of the survey. <i>To be transferred in accordance with purchase agreement – see attached legal description.</i> Application includes 44.24+/-acres of outdoor cannabis cultivation which will operate from March - November: lot will be split into 21 - 1 ½ acre lot, each containing one – 40x'8' shipping container, containers will be utilized post-harvest for activities such as drying, curing, and packaging, and one 16'x6' shed to be used for security equipment, irrigation components, and agricultural tools. Each lot will have parking for two vehicles and one spot for loading and unloading, each space will be 10ft 20 ft (200 sq ft). 24 -hour security with camera coverage of gates and building entrances including cultivation. Existing well will be used with the addition of a 5-6-inch pump. Existing barn - 90'x48') and house (1569 sq ft) will be used for non-cannabis storage and employee facilities. One entrance off main road, 66ft wide easement on the gravel driveway - water irrigation usage will be under 10,000 gallons per day for the first year after which a well appropriations permit will be applied. Approximately 20,000 feet - 8 feet high on the perimeter of deer fencing with privacy screen. Application DOES NOT include retail, on-site consumption, manufacturing or processing, public access or events.
ZONING ORD. CITATION	Mower Co. Cannabis Ordinance 06-24 item 3.2.1 and Zoning Ordinance Section 14-51; Mower County Zoning Ordinance Sec 14-14 - Off Street Parking Requirements & Mower County Zoning Ordinance Sec 14-15 Off Street Loading requirements.

PREVIOUS PUBLIC HEARING REQUESTS (what/when): This information will be available from the Mower County Recorder's Office. Please provide a copy along with this application. If none exists, please indicate "None."

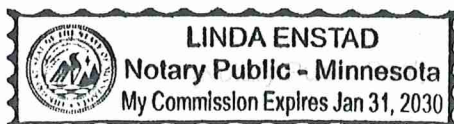
REZONING	VARIANCE	CONDITIONAL USE
n/a	n/a	n/a

***Full legal descriptions, of application parcel(s), must be included for recording. ***

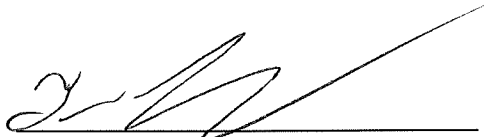
Donald W Burns Pres
Signature of Owner/Applicant

STATE OF Minnesota)
) ss.
COUNTY OF Mower)

The foregoing instrument was acknowledged before me, this 8th day of May 2026 by McIntire Feed and Grain Inc c/o Donald W. Burns, President

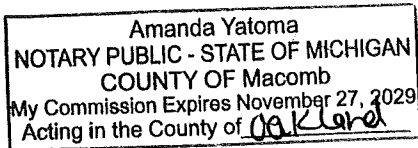


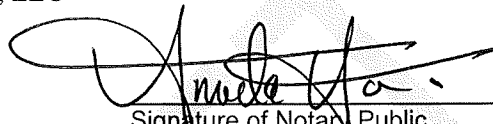
Linda Enstad
Signature of Notary Public
My commission expires. 1-31-2030


Signature of Owner/Applicant

STATE OF Michigan)
COUNTY OF Oakland) ss.

The foregoing instrument was acknowledged before me, this 8 day of May 2026 by Travis Hermiz on behalf of Austin Property RE JV, LLC




Signature of Notary Public
My commission expires. 11/27/2029

THIS INSTRUMENT WAS DRAFTED BY:
Mower County Environmental Services in accordance with the Mower County Zoning Ordinance

Legal Description

LAND DESCRIPTION:

That part of the West Half of the Northwest Quarter of Section 19, Township 103 North, Range 17 West, Mower County, Minnesota, described as follows:

Commencing at the northwest corner of said West Half of the Northwest Quarter; thence on an assumed bearing of South 00°42'55" East, along the west line of said West Half of the Northwest Quarter, 639.91 feet to the point of beginning; thence North 83°29'25" East 587.71 feet; thence South 00°42'55" East 1015.18 feet; thence North 89°26'47" East 697.74 feet; thence South 00°42'55" East 1053.60 feet to the south line of said West Half of the Northwest Quarter; thence South 89°26'47" West, along said south line, 1282.46 feet to the southwest corner of said West Half of the Northwest Quarter; thence North 00°42'55" West, along said west line of the West Half of the Northwest Quarter, 2007.80 feet to the point of beginning.

The above described parcel contains 44.24 acres, more or less, and is subject to any easements, covenants and restrictions of record.

AN APPLICANT'S REQUEST MUST MEET OR EXCEED THE BELOW LISTED CRITERIA, FROM THE ORDINANCE, IN ORDER TO BE GRANTED. (Reference: Section 14-31, "No conditional use shall be recommended by the Planning Commission unless said Commission shall find:" items (a) through (e))

PLEASE SUBMIT YOUR ANSWERS ALONG WITH A COMPLETED APPLICATION FOR THE PLANNING COMMISSION'S REVIEW; USE ADDITIONAL SHEETS AS NEEDED.

FINDINGS OF FACT

APPLICANT: Austin Property RE JV LLC DATE Updated May 15, 2026

1. *That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.*

The Planning Commission must find the proposed use will not be injurious to the use and enjoyment of other property in the immediate vicinity BECAUSE (list reasons):

The proposed use of the property will be for outdoor cannabis cultivation only. No other cannabis activity, such as retail, extraction, processing, manufacturing, public access, or use of cannabis will be allowed on the property. Operations will be conducted in a controlled, secure, and compliant manner that minimizes external impacts. The impact to the surrounding agricultural area would be no more than any traditional agriculture facility. The traffic will be minimum and very few, if any, large vehicles (under 1 ton sprinter van type) will be entering and exiting the property. The site will comply with all township and county setbacks which will allow natural buffering plants to be planted (clover, lavender, rosemary, lemon balm, and ryegrass) which have odor controlling properties.

Proposed Plant Materials & Quantities

Plant Species	Proposed Quantity
Clover	5,000 sq. ft.
Lavender	120 plants
Rosemary	85 plants
Lemon Balm	95 plants
Ryegrass	8,000 sq. ft.

General Layout

- Lavender and rosemary plantings will be staggered intermittently around the perimeter to create visual diversity and seasonal color variation.
- Lemon balm will be incorporated between herb clusters to provide additional density and pollinator habitat.
- Clover and ryegrass seed mixes will be applied continuously along the perimeter buffer areas to provide uniform ground coverage and assist with stormwater stabilization.
- Plant spacing and final placement may be adjusted slightly during installation to accommodate grading, utilities, drainage patterns, and existing site conditions.

- An 8-foot fence with mesh will surround the perimeter of the property as a windbreak and keep visual disturbances to a minimum to help control odor.

USDA National Agroforestry Center shows:

- Windbreaks reduce wind speed for distances up to 10-15 times their height
- Maximum wind reduction occurs at 3-5 times the windbreak height downwind
- Studies on agricultural systems show vegetative buffers:
- Increase turbulence and vertical mixing
- Reduce transport of odor-bearing particulates

By completing a google map search, there are 12 residential properties identified in the vicinity: six are located within 300-1,000 feet, and the remaining six are over 1,000 feet away, with many significantly further than that.

Research suggests that cannabis odors are typically detectable up to 300-1,000 feet during the peak flowering (15-30 days) and harvesting periods (5-10 days), which usually occurs during the cooler months of the year. Because all other operations will be conducted inside shipping containers, odors will be further mitigated.

Additionally, agricultural odor dispersion studies indicate that concentrations decrease rapidly with distance due to atmospheric dilution, turbulence, vegetation, and changing wind patterns. In addition to these mitigation options, low-terpene plants will be grown, additional vegetation barriers will be set up, along with hydrogen-based sprays to further decrease the odor.

The Hydrogen Peroxide (H₂O₂) Spray Application Plan is intended to establish a consistent application and preventative maintenance program to encourage healthy plant growth and reduce odors.

2. *That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area.*

The proposed use will not impede the normal and orderly development of surrounding vacant properties for uses predominant in the area BECAUSE (list reasons)

As this property is located a primary agriculturally zoned areas, the use is consistent with the rural and agricultural character of the area and is compatible with predominant land uses. As with any agriculture property and development it would need to take into account the potential for odor. In both the agriculture district and the rural district of the zoning ordinance, owners, residents and other users of the property may be subjected to inconveniences or discomfort arising from the normal and accepted agriculture practices and operations, including by not limited to noise, odor, dust, operations of machinery, the storage and disposal of waste. The dust and noise should not be greater than any other agricultural uses in the surrounding area. With a limited number of employees on the field, with harvesting done during the day light hours and the fact that all harvesting is done by hand with no large amount of equipment, the noise and dust will be minimal. The impact will not impede the normal development of vacant properties for agriculture use.

3. *That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.*

The Planning Commission must find that adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided for the proposed use. Have these items been already provided? Will they be provided? HOW SO?

The subject property is currently served by adequate utilities, access, roadway infrastructure, drainage, and necessary facilities to support its existing use, including a working septic system. The current well has been deemed efficient, with the addition of a small pump, for the first phase of operation in the 2026 growing year. Water usage will be kept to under 10,000 gallons per day. As the property becomes further established by leasing the remaining plots, all utilities and supporting infrastructure will be upgraded and expanded as needed to meet applicable requirements and ensure full functionality for the proposed use. DNR has been contacted and once the water usage increases to above 10,000 per day or 1 million gallons per year, a well appropriations permit will be applied for.

4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use.

The Planning Commission must find that adequate measures have or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use. Have these items been already provided? Will they be provided? HOW SO?

The property will provide sufficient off-street parking and designated loading areas to adequately support the proposed outdoor cultivation use by allocating an appropriate portion of the site for these functions. All parking, loading, and operational activities will be conducted within the fence surrounding each individual lot. Each lot will have parking for two vehicles and one spot for loading and unloading, each space will be 10ft 20 ft(200 sq ft).

5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

The Planning Commission must find that adequate measures have been or will be taken to prevent or control the following offenses so that none of these will constitute a nuisance and that lighting shall not create a disturbance to neighboring properties. Do any of the below items apply to the proposed use? If yes, how do you intend to mitigate the issue? Please list and discuss each item individually.

OFFENSES:	YES	NO	NOT APPLICABLE
Odor	x		
Fumes		x	
Dust		x	
Noise		x	
Vibration		x	
Control lighted signs		x	
Control of other lights	x		

Odor concentrations naturally decrease with distance due to atmospheric mixing and dispersion. Agricultural odor observations indicate that odor concentrations may be reduced by approximately 50–80% within the first 100 feet, depending on environmental and weather conditions. The Minnesota Pollution Control Agency recognizes separation distance as a primary factor in reducing odor impacts, as dispersion lowers odor concentrations below typical detection thresholds. With the use of vegetative windbreaks and barriers, research from USDA National Agroforestry Center demonstrates that windbreaks:

- Reduce wind speed for distances up to 10–15 times their height
- Provide maximum wind reduction approximately 3–5 times the windbreak height downwind

Studies involving agricultural operations further indicate that vegetative and fencing buffers:

- Increase vertical air mixing and turbulence
- Reduce transport of odor-bearing particulates

- Improve overall environmental buffering between properties

Ground cover and vegetated surfaces throughout the site contribute indirectly to odor reduction by stabilizing environmental conditions and reducing volatilization.

Benefits include:

- Reduced soil temperature
- Reduced surface evaporation
- Reduced dust generation, which can carry odor compounds

Agricultural data published by the USDA supports that vegetated systems improve microclimate stability and reduce conditions that contribute to odor transport.

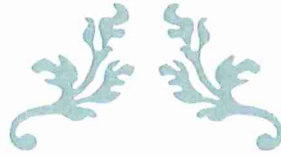
The Agency for Toxic Substances and Disease Registry recognizes that odor perception is strongly impacted by exposure duration. Harvesting and post-harvest activities will therefore be managed through scheduling and operational controls to reduce cumulative odor exposure.

Noise will be minimal, unlike traditional agriculture farms, cannabis is harvested by hand, with all other activities occur with the storage containers. The harvesting will be done during the day light hours, which is consistent with typical farming.

Overall, the proposed use is expected to be compatible with surrounding agricultural land uses and will not create unreasonable environmental impacts on neighboring properties or the surrounding community.

Attached is a third-party professional assessment of the property that delves further into the odor control with visual inspection of the property. A location map is shown with distances to neighboring properties listed in the key.

Original
Business
Plan



AUSTIN PROPERTY RE JV, LLC

Business Plan



MAY 5, 2026
OUTDOOR CULTIVATION

1. Executive Summary

Austin Property RE JV LLC will develop and manage a large-scale outdoor cannabis cultivation property in Austin MN. The company will operate as a real estate holding and leasing entity, subdividing the property into individual plots (approximately 1.5 acres each) to be leased to licensed cannabis operators approved by the Minnesota Office of Cannabis Management.

This model allows multiple independent operators to conduct cultivation activities while leveraging shared infrastructure and centralized property management.

Business Model

- Acquire/hold a large agricultural parcel
- Subdivide into individual leased cultivation plots
- Lease to state-licensed cannabis operators
- Provide shared infrastructure (fencing, access roads, water systems)
- Generate revenue through long-term lease agreements

Each tenant/operator will be responsible for:

- Licensing and regulatory compliance
- Cultivation, harvesting, and processing
- Staffing and day-to-day operations
- Product sales and distribution

Market Opportunity

Minnesota's emerging cannabis market presents strong growth potential due to:

- Limited initial supply of licensed cultivation operators
- Increasing demand for locally grown cannabis products
- Regulatory structure that supports smaller, independent growers

The multi-tenant outdoor cultivation model:

- Lowers barriers to entry for licensees
- Maximizes land utilization
- Scales efficiently as market demand grows

Operations Plan

- Initial phase (2026): Lease 4 plots to licensed operators
- Future phases: Expand leasing as demand increases
- Maintain shared infrastructure including:
 - Perimeter fencing and security
 - Internal access roads
 - Irrigation systems (existing well with planned upgrades) and utilities will be run under the gravel road exclusively on the parcel

Operations will remain low-impact and agricultural in nature, with minimal daily staffing and seasonal increases during harvest.

Infrastructure & Site Management

- Centralized property ownership and oversight
 - Secure perimeter fencing and controlled access
 - Individual plot fencing for tenant separation
 - Shared irrigation system with scalable capacity
 - Minimal permanent structures; use of mobile containers and sheds
-

Revenue Model

Primary revenue streams include:

- Long-term land lease agreements (per plot)
- Potential shared service fees (water, maintenance, infrastructure)

This model provides:

- Predictable, recurring income
 - Low operational risk compared to direct cultivation
-

Compliance & Risk Management

- All tenants must be licensed through OCM
- Property designed to meet local zoning and agricultural requirements
- Security, access, and infrastructure compliant with state and county regulations

- Phased growth ensures infrastructure keeps pace with demand
-

. Growth Strategy

- Phase 1: Establish initial operators and prove concept
 - Phase 2: Lease additional plots as market demand increases
 - Phase 3: Potential expansion into additional services or locations
-

Conclusion

Austin Property RE JV LLC offers a scalable, low-risk real estate-driven approach to participating in Minnesota's cannabis industry. By providing secure, compliant cultivation space to licensed operators, the company positions itself as a key infrastructure partner in a growing market.

2. System and Infrastructure Plan

Austin Property RE JV LLC will sublease separate 1.5-acre plots to entities licensed by the Minnesota Office of Cannabis Management. Each licensed entity will operate as a distinct and independent cultivation business, responsible for its own staffing, transportation, cultivation practices, monitoring, harvesting, and product sales.

To maintain a low profile and minimize unnecessary attention to the site, no signage will be installed other than required security notices, including:

- "No Unauthorized Access"
- "24/7 Video Surveillance in Operation"

The entire parcel will be secured with an 8-foot commercial-grade perimeter fence, including locking gates and privacy mesh. In addition, each individual leased plot will be separately fenced and secured to ensure compliance with all applicable local, county, and state regulations.

For the 2026 growing season, the holding company intends to lease four parcels, identified on the site plan as Parcels 1, 3, 4, and 6. These parcels are planned to be leased to the following entities:

- Bolder North Enterprises LLC – Raida Yaldo – Parcel 1
- Green Timber Ventures, LLC – Steven Khemmoro – Parcel 3
- Loon Edge Enterprises LLC – Ray Khemmoro – Parcel 4
- Paul Bunyan Ventures, LLC – Jihan Pattah – Parcel 6

Each entity will operate solely for cultivation purposes and will not exceed the state-mandated canopy limits for outdoor cultivation, specifically up to one-half acre of mature, flowering plants per license. If, at any time the OCM changes the canopy allowance, the leases reserved the right to increase the plant count in accordance with the OCM's administrative rules.

The property is currently served by a functioning 5-inch irrigation well. The property owner has consulted with MN licensed well professionals and has been advised that, with an upgraded 5–6-inch pump, the well will adequately support the irrigation demands of the initial four parcels while remaining below the 10,000 gallons per day threshold for the 2026 growing season.

The applicant has also consulted with the Minnesota Department of Natural Resources and has confirmed that, at current projected usage levels, no water appropriation permit is required at this time.

As additional parcels are brought into operation and water demand increases, the property owner will initiate the process of obtaining any required water appropriation permits to remain in full regulatory compliance.

This phased infrastructure approach ensures responsible water management, maintains compliance with all applicable regulations, and aligns system capacity with the gradual expansion of cultivation activities on the property.

3. Site Structures and Use Plan

The existing parcel(s) has a multi farm-like structures and a residential home located on-site. Any structure(s) deemed unsafe for use will be removed. All other facilities will be repurposed for ancillary, non-cannabis uses, such as storage of non-cannabis supplies, employee break areas, and general facility support functions.

As operations commence, each individual cultivation entity will be assigned a 40' x 8' movable storage container, which will be placed within each leased plot's fenced area. These containers will be utilized post-harvest for activities such as drying, curing, and packaging, in accordance with all applicable regulatory requirements and operational controls.

Additionally, each cultivation plot will include a 6' x 16' movable accessory storage shed, within its fenced area. These structures will house security equipment, irrigation components, and other necessary agricultural tools and infrastructure. The accessory structures are minimal in scale, appropriately distributed across the site, and designed to support efficient operations while maintaining a low visual and environmental impact.

All structures on the property will obtain zoning permits as required by the county prior to placement or use. Furthermore, security and surveillance systems will be strategically positioned to ensure that all structures and operational areas are fully monitored in compliance with applicable regulations.

Overall, the proposed use of both existing and accessory structures is consistent with agricultural operations, minimizes the need for permanent construction, and ensures that all activities are conducted in an organized, secure, and compliant manner.

4. Security Plan

Overview

The facility will implement a comprehensive, layered security system designed to prevent unauthorized access, deter theft, and ensure continuous monitoring of all cultivation and storage areas. Security measures include perimeter fencing, 24/7 video surveillance, alarmed structures, controlled access, and documented operational protocols.

Perimeter Security

- The cultivation area will be enclosed by a continuous perimeter fence surrounding the field
- Fence specifications:
 - Minimum height: 8 feet
 - Material: Commercial grade fence with privacy/windscreen mesh
 - Maintained in good condition with no gaps, breaches, or areas of compromise
- The fence will include limited access points with lockable gates
- All gates will remain closed and secured when not actively in use
- The perimeter fence establishes a defined secured boundary and prevents unauthorized entry

Video Surveillance System

- The facility will maintain 24/7 video surveillance coverage
- Cameras will be positioned to monitor:
 - All entry and exit points
 - Perimeter fence lines
 - The full cultivation area
 - Storage, drying, and processing structures
- System features:
 - High-resolution digital cameras
 - Night vision or low-light capability
 - Continuous recording with time and date stamping
 - Minimum 30-day video retention
 - Coverage designed to eliminate blind spots
- Video footage will be:
 - Stored securely (local NVR and/or cloud backup)
 - Accessible only to authorized personnel

Alarm System & Secured Structures

- All buildings used for storage, drying, or processing will be equipped with a monitored alarm system, including:
 - Door and window contact sensors
 - Motion detection devices
- Alarm systems will be connected to:
 - A third-party monitoring service
- All structures will remain locked when not in active use
- Alarm alerts will trigger immediate notification and response

Access Control

- Access to the cultivation area is restricted to authorized personnel only
- Entry points will be controlled and secured at all times
- Optional access control systems (keypad or keycard) may be utilized for additional security
- Employees will be issued site access credentials as needed

Visitor Management

- All visitors will be:
 - Logged upon entry (name, date, time, and purpose)
 - Required to remain under continuous escort
- Visitor access will be limited to approved areas only

Lighting (Security Integration)

- Exterior lighting will be installed at:
 - Access points
 - Storage and processing structures
- Motion-activated lighting may be used in low-traffic areas

Employee Security Protocol

- All employees will receive training on:
 - Access control procedures
 - Visitor policies
 - Incident reporting requirements
- Employees will be responsible for maintaining secure conditions within their assigned work areas

Inventory Control & Monitoring

- All cannabis material will be tracked in accordance with applicable state regulations
- Inventory will be monitored to detect discrepancies
- Any inconsistencies will be:

- Investigated
- Documented
- Resolved in a timely manner

Incident Reporting & Response

- All security incidents will be:
 - Documented
 - Reviewed by management
- Designated personnel will be available to respond to incidents in a timely manner
- Law enforcement will be contacted when appropriate
- Corrective actions will be implemented as needed to prevent recurrence

Signage

- The property will be posted with signage indicating:
 - No unauthorized access
 - 24/7 video surveillance in operation
- Signage will be clearly visible at entry points and along the perimeter

5. Parking and Loading Plan

The proposed outdoor cannabis cultivation facility is expected to generate minimal daily traffic and parking demand due to the limited number of employees required for routine operations throughout most of the year. Day-to-day activities such as irrigation oversight, crop monitoring, security checks, maintenance, and regulatory compliance can be managed by a small operational team. As a result, only a modest number of off-street parking spaces will be necessary during standard operating periods.

There is currently one ingress and egress to the property, a gravel graded entrance, which will meet the required minimum one ingress/egress gravel driveway 66 ft wide easement. Each site will have a parking area and a loading area to accommodate at least two spots for each staff member, management, and occasional vendors or inspectors. Parking areas will be located within the fenced area, on-site and designed to allow safe ingress and egress without impacting public roads or neighboring properties.

Loading activity will also remain limited during the majority of the cultivation season, consisting primarily of scheduled deliveries of agricultural inputs, equipment, and maintenance materials. A dedicated loading and turnaround area will be established within the property boundaries to allow trucks and service vehicles to enter, unload, and exit safely.

The only period of increased activity is anticipated during the October harvest season, when temporary labor, transport vehicles, and harvesting equipment may be present. During this limited seasonal period, overflow parking and expanded loading areas will be utilized on-site within pre-designated portions of the property. These temporary accommodations will ensure that all

employee vehicles, vendors, and transport operations remain contained within the parcel and do not interfere with surrounding roadways or adjacent properties.

Overall, the parking and loading plan is scaled appropriately to the agricultural nature of the operation, with low demand for most of the year and temporary seasonal expansion during harvest. This approach ensures safe, efficient, and compliant site operations while minimizing impacts on the surrounding area.

6. Odor Control Plan

Overview

Outdoor cannabis cultivation produces intermittent odor, with peak intensity typically occurring during the flowering phase. The facility will implement a layered odor mitigation strategy incorporating setbacks, sprays, strategic vegetative barriers, cover crops, genetics with low-odor phenotypes, and operational controls, including harvest timing adjustments for extraction-designated material.

Setbacks & Buffer Zones

The cultivation area will be set back from the perimeter fence and property boundaries to meet the local, county, and state requirements of 40', to establish a buffer zone that promotes natural odor dilution and atmospheric dispersion. Increasing the distance between the odor source and the property line allows airborne compounds to mix with ambient air, reducing odor concentration before reaching adjacent properties.

Setbacks (Distance-Based Dilution)

Odor concentrations decrease with distance due to atmospheric mixing and dispersion.

- Agricultural odor modeling and field observations indicate:
 - 50–80% reduction in odor concentration within the first ~100 feet, depending on environmental conditions
- The Minnesota Pollution Control Agency recognizes distance as a primary factor in reducing odor impacts, as dispersion reduces concentrations below detection thresholds

Application to this project:

The proposed setbacks are consistent with distances shown to significantly reduce the potential for off-site odor detection.

Vegetative Windbreaks & Barriers

Windbreaks are a well-established agricultural practice used to reduce odor transport.

- Research from the USDA National Agroforestry Center shows:
 - Windbreaks reduce wind speed for distances up to 10–15 times their height
 - Maximum wind reduction occurs at 3–5 times the windbreak height downwind
- Studies on agricultural systems show vegetative buffers:
 - Increase turbulence and vertical mixing
 - Reduce transport of odor-bearing particulates

Application to this project:

Multi-row vegetative barriers and windbreak fencing will disrupt airflow, reduce horizontal odor transport, and enhance dilution before air reaches property boundaries.

Airflow Disruption (Fencing + Vegetation)

Porous barriers such as mesh fencing and vegetation alter airflow patterns:

- Airflow is slowed and redirected upward, reducing ground-level odor transport
- Layered systems improve dispersion through increased turbulence

Application to this project:

The combination of fencing and vegetative buffers provides stacked airflow disruption, improving overall odor attenuation.

Ground Cover & Microclimate Management

Ground cover contributes to odor reduction indirectly by modifying site conditions:

- Reduces:
 - Soil temperature
 - Surface evaporation
 - Dust (which can carry odor compounds)
- USDA data indicates vegetated systems improve microclimate stability and reduce volatilization conditions

Application to this project:

Cover crops such as clover. Lavender, rosemary, lemon balm, marigolds, and ryegrass support stable environmental conditions and reduce factors that contribute to odor transport.

Plant Variety – genetics with low-odor phenotypes

The intent is to select plant types with genetically lower order emitting terpenes which will help reduce the odor and still yield a high-quality crop. Under ideal growing conditions each plot would yield approximately 5000 pound per growing season. Plant types such as the following would offer the best options with the least amount of odor:

- Animal Face
- Caribbean Breeze
- Sharpie
- Zep

Application to this project

Planting with low odor phenotypes will help reduce the odor due being lower in beta-myrcenes, which is a major terpene trace associated with strong odor.

Operational Controls (Harvest Timing)

Odor impact depends on both concentration and duration of exposure.

- The Agency for Toxic Substances and Disease Registry notes that odor perception is influenced by intensity and exposure duration
- Reducing the duration of peak emission periods lowers total odor exposure

Application to this project:

Harvest timing may be advanced relative to peak flowering conditions to reduce the duration of highest odor intensity.

Supplemental Sanitation Measures (Hydrogen Peroxide-Based Products)

Products such as Zeritol 2.0 contain hydrogen peroxide (H₂O₂), a strong oxidizing agent.

Hydrogen peroxide functions by:

- Breaking down organic compounds through oxidation

- Oxidizing and degrading volatile organic compounds, including terpenes (the primary aromatic compounds responsible for the characteristic odor of cannabis), upon direct contact
- Reducing microbial populations that can contribute to secondary odors
- Being widely used in agriculture and food production for sanitation and organic load reduction

Application to this project:

While not used as a primary odor control method, hydrogen peroxide-based sanitation products may be utilized in targeted applications (e.g., equipment, surfaces, or localized areas) where direct contact can occur, contributing to the reduction of organic material and localized odor compounds. These measures support the facility's overall odor mitigation strategy in conjunction with setbacks, vegetative buffers, and operational controls.

Summary

The proposed odor control strategy utilizes multiple complementary methods supported by agricultural research and environmental science:

- Setbacks provide primary dilution (significant reduction with distance)
- Windbreaks reduce wind velocity and enhance vertical mixing
- Fencing and vegetation disrupt airflow and limit odor transport
- Ground cover stabilizes environmental conditions
- Operational controls reduce duration of peak emissions
- Sanitation practices reduce organic material that may contribute to localized odor

Collectively, these measures form a layered mitigation system that significantly reduces the potential for detectable odor at the property boundary.

7. Exterior Lighting Plan (Low-Light / Photoperiod-Protected Operation)

Overview

The facility is designed to minimize exterior lighting in order to preserve the natural photoperiod required for outdoor cannabis cultivation. Continuous perimeter lighting is intentionally avoided to prevent disruption of plant development during vegetative and flowering stages.

Security and visibility are achieved through a combination of:

- Infrared (IR) surveillance systems
- Targeted, motion-activated task lighting at critical access points
- Physical security infrastructure

Perimeter Lighting Approach

- No continuous or pole-mounted perimeter lighting will be installed
- The cultivation area will remain unlit during nighttime hours
- This eliminates:
 - Light pollution
 - Light trespass beyond property boundaries
 - Interference with plant flowering cycles

Perimeter visibility is maintained via high-resolution infrared camera coverage, which provides full monitoring capability without visible light emission.

Surveillance-Based Visibility

The facility utilizes a 24/7 infrared camera system to replace traditional lighting for nighttime monitoring.

System specifications:

- High-definition cameras (minimum 4MP resolution)
- Integrated IR illumination with 100–300 ft range
- Low-lux performance (≤ 0.01 lux)
- Overlapping fields of view along the entire perimeter

Coverage includes:

- Full fence line
- All corners of the property
- Entry/exit gates
- Building exteriors

This system ensures continuous visibility and recording without introducing artificial light into the cultivation environment.

Limited Lighting Zones (Task-Based Only)

Exterior lighting is restricted to essential operational areas only.

8. Traffic and Access Plan

The proposed outdoor cannabis cultivation facility is expected to generate minimal traffic impacts due to the limited number of employees required for day-to-day operations and the seasonal

nature of the business. Routine operations throughout most of the year involve only a small workforce focused on irrigation, crop monitoring, maintenance, security, and compliance functions. As a result, daily vehicle traffic to and from the site will remain low.

Transportation activity will primarily consist of the use of one-ton or smaller sprinter-type vans, pickup trucks, and similar light-duty service vehicles, which are appropriate for agricultural support operations and generate significantly less impact than heavy commercial truck traffic. These vehicles will be used for maintenance, deliveries of supplies, and other routine operational needs.

Any licensed transport vehicles utilized for the movement of regulated product will be scheduled in advance and coordinated to minimize unnecessary trips during a single day. Deliveries and pickups will be consolidated whenever possible to reduce traffic frequency and maintain efficient operations and will only be scheduled during regular business operating hours as recommended by Mower County's ordinance.

Employee scheduling will also be structured to reduce the number of vehicles entering and exiting the property on a daily basis, including staggered schedules, shared transportation opportunities, and limited staffing during non-peak periods.

All vehicles accessing the property will enter through a designated primary ingress point and exit through the same controlled access point unless otherwise directed for safety reasons. Each operational parcel or plot will be served by an internal road network, allowing traffic circulation within the property without affecting adjacent roadways or neighboring properties.

The only temporary increase in traffic is anticipated during the fall harvest season, when additional seasonal labor and transport activity may occur for a limited duration. Even during this period, operations will be managed through scheduling and on-site circulation controls to ensure orderly movement and avoid congestion.

Overall, due to the low daily staffing levels, use of smaller vehicles, consolidated transport scheduling, and controlled internal access routes, the proposed use is not expected to create any material traffic concerns or negatively impact surrounding roadways.

9. Waste Management and Sanitation Plan

Overview

This facility will manage all waste in a manner that prevents diversion, protects the environment, and complies with Minnesota regulations. All cannabis waste will be secured, tracked, rendered unusable, and disposed of through approved methods.

Waste Types

- Cannabis Waste: flower, trim, or plant material containing cannabinoids
- Non-Regulated Plant Waste: stalks, stems, roots, and soil
- General Waste: packaging, trash, and recyclables
- Agricultural Waste: irrigation lines, trellis, and materials
- Hazardous Waste (if applicable): chemicals, pesticides, fuels

Rendering Cannabis Waste

All cannabis waste will be rendered unusable and unrecognizable by:

- Grinding or shredding
- Mixing with non-cannabis material (e.g., soil or green waste)

On-Site Storage

- During harvest, waste will be temporarily stored within a secured area inside the fenced perimeter
- Access is limited to authorized personnel
- Waste is labeled, contained, and monitored by surveillance

Disposal

- A licensed waste disposal company will haul waste off-site as needed
- Cannabis waste will be disposed of at approved facilities in compliance with Minnesota regulations

Non-regulated plant waste will be managed by one of the following methods:

- Hauled to a licensed landfill or composting facility, or
- Mulched and reincorporated into the soil on-site as organic matter

Tracking & Records

- All cannabis waste is logged and tracked in the state system
- Records include quantity, type, and disposal method
- Records are maintained for inspection

Security

- Waste remains within the secured, fenced area until removal
- Stored in controlled-access locations
- Covered by 24/7 surveillance

Environmental Protection

- No dumping, burning, or runoff

- Waste is handled to prevent odor, pests, and contamination
- Hazardous materials managed per state law

Sanitation Plan

This sanitation plan is designed to ensure that all operations on the property are conducted in a clean, safe, and compliant manner, consistent with local and state requirements, including guidance from Minnesota Pollution Control Agency and applicable standards within Mower County.

Wastewater & Septic System Management

The property is currently served by an existing septic tank and drain field system, which will be used for sanitary wastewater generated from:

- Employee restroom facilities
- Breakroom/kitchen sink use
- General sanitary needs

Management Practices:

- Septic system will be inspected annually by a licensed professional
- Pumping will occur on a routine schedule or as needed based on usage
- Only domestic wastewater will be discharged into the system
- No chemicals, fertilizers, pesticides, or cannabis waste will enter the septic system

Restroom Facilities

- On-site restroom facilities will be provided for employees
- During peak harvest season, portable sanitation units may be added to accommodate temporary workers
- All restroom facilities will be:
 - Maintained in a clean and sanitary condition
 - Serviced regularly (for portable units)
 - Supplied with handwashing materials

Solid Waste Management

General Waste:

- Collected in designated containers
 - Stored in covered receptacles to prevent pests and odors
 - Removed regularly by a licensed waste hauler
-

Agricultural & Operational Waste

- Plant waste (stems, leaves, etc.) will be:
 - Composted where permitted or
 - Disposed of in accordance with local and state guidelines
 - No runoff or discharge of fertilizers, oils, or agricultural inputs will enter:
 - the septic system
 - nearby surface water
 - adjacent properties
-

Water Use & Drainage

- All water use will be managed to prevent oversaturation of the septic drain field
 - Drainage will be directed away from:
 - structures
 - septic components
 - Erosion and runoff controls will be implemented as needed
-

Cleaning & Sanitation Practices

- Work areas, storage areas, and employee facilities will be cleaned routinely
 - Only approved cleaning agents will be used in accordance with environmental guidelines
 - Equipment used in cultivation will be maintained in clean working condition
-

Pest Control & Environmental Health

- Integrated pest management (IPM) practices will be utilized
- Non-toxic and environmentally safe products will be prioritized
- Standing water will be minimized to reduce pest breeding

Employee Training

All employees will be trained on:

- Proper sanitation and hygiene practices
 - Waste disposal procedures
 - Septic system protection (what cannot be disposed of)
 - Spill prevention and response
-

Inspection & Compliance

- The property will remain available for inspection by:
 - local health officials
 - county authorities
 - state regulatory agencies
 - Any deficiencies identified will be corrected promptly
-

Ongoing Maintenance & Review

This sanitation plan will be:

- Reviewed annually
 - Updated as operations expand or regulations change
 - Adjusted to ensure continued compliance and environmental protection
-

Summary

This sanitation plan ensures that all wastewater, waste handling, and hygiene practices are properly managed to:

- Protect the existing septic system
- Safeguard public health and the environment
- Maintain compliance with Mower County and State of Minnesota regulations

Attachments:

- Preliminary approval emails for each leasing entity
- Articles of Organization for Austin Property RE JV LLC
- Site Plan

FW: Congratulations on receiving a preliminary license approval for MICRO-A25-001040

From Raida <boldernorthenterprisesllc@gmail.com>

Date Thu 6/5/2025 1:04 PM

To Kimura Mercer <k.mercer@vicentellp.com>; Jerrico Perez <j.perez@vicentellp.com>;

 External email >

Some people who received this message don't often get email from boldernorthenterprisesllc@gmail.com. [Learn why this is important](#)

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From: OCM_NOREPLY@accela.com <OCM_NOREPLY@accela.com>

Date: Thursday, June 5, 2025 at 1:24 PM

To: BolderNorthenterprisesLLC@gmail.com <BolderNorthenterprisesLLC@gmail.com>

Subject: Congratulations on receiving a preliminary license approval for MICRO-A25-001040

Dear Raida M Yaldo,

We are pleased to inform you that you have received preliminary license approval. Please note that you have 18 months to obtain a cannabis business license upon receiving this notification.

Please be aware this notice does not convey license approval. Your application is moving forward, but you are not yet authorized to conduct any of the activities for any license type. To continue the process and receive your license, you must first complete the following steps:

1. **Engage with local governments.** Begin discussions with your local government early to understand and meet all local requirements, including zoning, any necessary conditional use permits, and retail registration (if applicable). You must secure a physical location that complies with local zoning ordinances and update your application documents showing you are compliant with all local requirements. You are strongly encouraged to do this at the earliest stage possible before you invest in any location.
2. **Submit final documents.** Preliminarily approved applicants will submit final application materials to OCM when they can demonstrate compliance with all applicable rules. The materials include details about the site location, final operational documentation, and documentation of any ownership changes, and are referred to as final plans of record. Links to complete online fillable forms that will make up your final plans of record are at:
<https://mn.gov/ocm/businesses/licensing/final-plan-of-record.jsp>.
3. Once you have completed and submitted the online forms, you will receive PDFs of your final plans of record via email that must be uploaded to the Office of Cannabis Management (OCM)

through Accela. OCM will forward your application to the local government indicated on your application.

4. **Local government zoning compliance certification.** Local governments have 30 days to certify that your application complies with zoning and land use ordinances. Important: be sure to engage early with your local government so that you understand their timelines and process for local zoning compliance certification. OCM recommends that preliminarily approved applicants wait until all the required items for local approval have been met with their local government before they submit their site registration. Additionally, be sure to remain in close communication with the local government to ensure that they are prepared to review the application. Please review the guidance for local governments regarding zoning compliance certification located here: <https://mn.gov/ocm/local-governments/localgovs.jsp> for awareness on what local governments will be required to complete for this stage.
5. **Site inspection.** After receiving local zoning compliance certification, OCM will schedule a pre-opening site inspection to verify that your physical location complies with all applicable laws and rules.
6. **Pay license fee.** Upon a successful site inspection, you will be able to pay the required license fee through Accela. Once payment is received, OCM will issue your cannabis business license with the appropriate endorsements.
7. **Retail registration (only for license types engaging in retail direct to consumers).** If your license involves retail sales, you must obtain a local retail registration from your local government after you have received your cannabis business license. The approval process for this is determined by the local government.

The licensing guidebook detailing the above steps is available on the [OCM licensing webpage](#); please review the information carefully. The guidebook contains important information about how to successfully complete the licensing process and also includes several suggestions about working on securing local approvals for zoning compliance and local retail registration. You should also review [Minnesota Statutes Chapter 342](#) for more information about statutory requirements.

OCM does not provide legal or business advice. To the extent that you feel you may need such services, you are encouraged to seek those out independently. Starting any business, including a cannabis business, carries risk, and you should never invest more than you are willing to lose.

Visit mn.gov/ocm for more information and resources. If you have questions related to your application, please contact the Licensing Division at ocm.licensing@state.mn.us. When contacting the licensing email, please include your application number at the beginning of the email subject line followed by the topic (example: Application Number – Background Check).

Again, congratulations on reaching this milestone in your ongoing efforts to secure a cannabis business license.

MN Office of Cannabis Management

Cannabis.info@state.mn.us

FW: Congratulations on receiving a preliminary license approval for MICRO-A25-001048

From: OCM_NOREPLY@accela.com <OCM_NOREPLY@accela.com>
Date: Monday, June 9, 2025 at 12:14 PM
To: GreenTimberVenturesLLC@outlook.com <GreenTimberVenturesLLC@outlook.com>
Subject: Congratulations on receiving a preliminary license approval for MICRO-A25-001048

Dear Steven Sabah Khemmoro,

We are pleased to inform you that you have received preliminary license approval. Please note that you have 18 months to obtain a cannabis business license upon receiving this notification.

Please be aware this notice does not convey license approval. Your application is moving forward, but you are not yet authorized to conduct any of the activities for any license type. To continue the process and receive your license, you must first complete the following steps:

1. **Engage with local governments.** Begin discussions with your local government early to understand and meet all local requirements, including zoning, any necessary conditional use permits, and retail registration (if applicable). You must secure a physical location that complies with local zoning ordinances and update your application documents showing you are compliant with all local requirements. You are strongly encouraged to do this at the earliest stage possible before you invest in any location.
2. **Submit final documents.** Preliminarily approved applicants will submit final application materials to OCM when they can demonstrate compliance with all applicable rules. The materials include details about the site location, final operational documentation, and documentation of any ownership changes, and are referred to as final plans of record. Links to complete online fillable forms that will make up your final plans of record are at: <https://mn.gov/ocm/businesses/licensing/final-plan-of-record.jsp>.
3. Once you have completed and submitted the online forms, you will receive PDFs of your final plans of record via email that must be uploaded to the Office of Cannabis Management (OCM) through Accela. OCM will forward your application to the local government indicated on your application.
4. **Local government zoning compliance certification.** Local governments have 30 days to certify that your application complies with zoning and land use ordinances. Important: be sure to engage early with your local government so that you understand their timelines and process for local zoning compliance certification. OCM recommends that preliminarily approved applicants wait until all the required items for local approval have been met with their local government before they submit their site registration. Additionally, be sure to remain in close communication with the local government to ensure that they are prepared to review the application. Please review the guidance for local governments regarding zoning compliance certification located here: <https://mn.gov/ocm/local-governments/localgovs.jsp> for awareness on what local governments will be required to complete for this stage.
5. **Site inspection.** After receiving local zoning compliance certification, OCM will schedule a pre-opening site inspection to verify that your physical location complies with all applicable laws and rules.
6. **Pay license fee.** Upon a successful site inspection, you will be able to pay the required license fee through Accela. Once payment is received, OCM will issue your cannabis business license with the appropriate endorsements.
7. **Retail registration (only for license types engaging in retail direct to consumers).** If your license involves retail sales, you must obtain a local retail registration from your local government after you have received your cannabis business license. The approval process for this is determined by the local government.

The licensing guidebook detailing the above steps is available on the [OCM licensing webpage](#); please review the information carefully. The guidebook contains important information about how to successfully complete the licensing process and also includes several suggestions about working on securing local approvals for zoning compliance and local retail registration. You should also review [Minnesota Statutes Chapter 342](#) for more information about statutory requirements.

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Visit mn.gov/ocm for more information and resources. If you have questions related to your application, please contact the Licensing Division at ocm.licensing@state.mn.us. When contacting the licensing email, please include your application number at the beginning of the email subject line followed by the topic (example: Application Number – Background Check).

Again, [congratulations](#) on reaching this milestone in your ongoing efforts to secure a cannabis business license.

MN Office of Cannabis Management

Cannabis.info@state.mn.us

FW: Congratulations on receiving a preliminary license approval for MICRO-A25-001054

From: OCM_NOREPLY@acela.com <OCM_NOREPLY@acela.com>
Date: Thursday, June 5, 2025 at 2:41 PM
To: LoonEchoEnterprises@outlook.com <LoonEchoEnterprises@outlook.com>
Subject: [Congratulations](#) on receiving a preliminary license approval for MICRO-A25-001054

Dear Ray Mikail Khemmoro,

We are pleased to inform you that you have received preliminary license approval. Please note that you have 18 months to obtain a cannabis business license upon receiving this notification.

Please be aware this notice does not convey license approval. Your application is moving forward, but you are not yet authorized to conduct any of the activities for any license type. To continue the process and receive your license, you must first complete the following steps:

1. **Engage with local governments.** Begin discussions with your local government early to understand and meet all local requirements, including zoning, any necessary conditional use permits, and retail registration (if applicable). You must secure a physical location that complies with local zoning ordinances and update your application documents showing you are compliant with all local requirements. You are strongly encouraged to do this at the earliest stage possible before you invest in any location.
2. **Submit final documents.** Preliminarily approved applicants will submit final application materials to OCM when they can demonstrate compliance with all applicable rules. The materials include details about the site location, final operational documentation, and documentation of any ownership changes, and are referred to as final plans of record. Links to complete online fillable forms that will make up your final plans of record are at <https://mn.gov/ocm/businesses/licensing/final-plan-of-record.jsp>.
3. Once you have completed and submitted the online forms, you will receive PDFs of your final plans of record via email that must be uploaded to the Office of Cannabis Management (OCM) through Acela. OCM will forward your application to the local government indicated on your application.
4. **Local government zoning compliance certification.** Local governments have 30 days to certify that your application complies with zoning and land use ordinances. Important: be sure to engage early with your local government so that you understand their timelines and process for local zoning compliance certification. OCM recommends that preliminarily approved applicants wait until all the required items for local approval have been met with their local government before they submit their site registration. Additionally, be sure to remain in close communication with the local government to ensure that they are prepared to review the application. Please review the guidance for local governments regarding zoning compliance certification located here: <https://mn.gov/ocm/local-governments/localgovs.jsp> for awareness on what local governments will be required to complete for this stage.
5. **Site inspection.** After receiving local zoning compliance certification, OCM will schedule a pre-opening site inspection to verify that your physical location complies with all applicable laws and rules.
6. **Pay license fee.** Upon a successful site inspection, you will be able to pay the required license fee through Acela. Once payment is received, OCM will issue your cannabis business license with the appropriate endorsements.
7. **Retail registration (only for license types engaging in retail direct to consumers).** If your license involves retail sales, you must obtain a local retail registration from your local government after you have received your cannabis business license. The approval process for this is determined by the local government.

The licensing guidebook detailing the above steps is available on the [OCM licensing webpage](#); please review the information carefully. The guidebook contains important information about how to successfully complete the licensing process and also includes several suggestions about working on securing local approvals for zoning compliance and local retail registration. You should also review [Minnesota Statutes Chapter 342](#) for more information about statutory requirements.

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Visit mn.gov/ocm for more information and resources. If you have questions related to your application, please contact the Licensing Division at ocm.licensing@state.mn.us. When contacting the licensing email, please include your application number at the beginning of the email subject line followed by the topic (example: Application Number – Background Check).

Again, [congratulations](#) on reaching this milestone in your ongoing efforts to secure a cannabis business license.

MN Office of Cannabis Management
Cannabis.info@state.mn.us

FW: Congratulations on receiving a preliminary license approval for MICRO-A25-001057

From: OCM, NOREPLY@acela.com <OCM_NOREPLY@acela.com>
Date: Friday, June 6, 2025 at 3:44 PM
To: PaulBunyanVentures@outlook.com <PaulBunyanVentures@outlook.com>
Subject: Congratulations on receiving a preliminary license approval for MICRO-A25-001057

Dear Jihan Nissan Pattah,

We are pleased to inform you that you have received preliminary license approval. Please note that you have 18 months to obtain a cannabis business license upon receiving this notification.

Please be aware this notice does not convey license approval. Your application is moving forward, but you are not yet authorized to conduct any of the activities for any license type. To continue the process and receive your license, you must first complete the following steps:

1. **Engage with local governments.** Begin discussions with your local government early to understand and meet all local requirements, including zoning, any necessary conditional use permits, and retail registration (if applicable). You must secure a physical location that complies with local zoning ordinances and update your application documents showing you are compliant with all local requirements. You are strongly encouraged to do this at the earliest stage possible before you invest in any location.
2. **Submit final documents.** Preliminarily approved applicants will submit final application materials to OCM when they can demonstrate compliance with all applicable rules. The materials include details about the site location, final operational documentation, and documentation of any ownership changes, and are referred to as final plans of record. Links to complete online fillable forms that will make up your final plans of record are at: <https://mn.gov/ocm/businesses/licensing/final-plan-of-record.jsp>.
3. Once you have completed and submitted the online forms, you will receive PDFs of your final plans of record via email that must be uploaded to the Office of Cannabis Management (OCM) through Accela. OCM will forward your application to the local government indicated on your application.
4. **Local government zoning compliance certification.** Local governments have 30 days to certify that your application complies with zoning and land use ordinances. Important: be sure to engage early with your local government so that you understand their timelines and process for local zoning compliance certification. OCM recommends that preliminarily approved applicants wait until all the required items for local approval have been met with their local government before they submit their site registration. Additionally, be sure to remain in close communication with the local government to ensure that they are prepared to review the application. Please review the guidance for local governments regarding zoning compliance certification located here: <https://mn.gov/ocm/local-governments/local-govs.jsp> for awareness on what local governments will be required to complete for this stage.
5. **Site inspection.** After receiving local zoning compliance certification, OCM will schedule a pre-opening site inspection to verify that your physical location complies with all applicable laws and rules.
6. **Pay license fee.** Upon a successful site inspection, you will be able to pay the required license fee through Accela. Once payment is received, OCM will issue your cannabis business license with the appropriate endorsements.
7. **Retail registration (only for license types engaging in retail direct to consumers).** If your license involves retail sales, you must obtain a local retail registration from your local government after you have received your cannabis business license. The approval process for this is determined by the local government.

The licensing guidebook detailing the above steps is available on the [OCM licensing webpage](#); please review the information carefully. The guidebook contains important information about how to successfully complete the licensing process and also includes several suggestions about working on securing local approvals for zoning compliance and local retail registration. You should also review [Minnesota Statutes Chapter 342](#) for more information about statutory requirements.

OCM does not provide legal or business advice. To the extent that you feel you may need such services, you are encouraged to seek those out independently. Starting any business, including a cannabis business, carries risk, and you should never invest more than you are willing to lose.

Visit mn.gov/ocm for more information and resources. If you have questions related to your application, please contact the Licensing Division at ocm.licensing@state.mn.us. When contacting the licensing email, please include your application number at the beginning of the email subject line followed by the topic (example: Application Number – Background Check).

Again, [congratulations](#) on reaching this milestone in your ongoing efforts to secure a cannabis business license.

MN Office of Cannabis Management

Cannabis.info@state.mn.us

Office of the Minnesota Secretary of State Certificate of Organization

I, Steve Simon, Secretary of State of Minnesota, do certify that: The following business entity has duly complied with the relevant provisions of Minnesota Statutes listed below, and is formed or authorized to do business in Minnesota on and after this date with all the powers, rights and privileges, and subject to the limitations, duties and restrictions, set forth in that chapter.

The business entity is now legally registered under the laws of Minnesota.

Name: Austin Property RE JV, LLC

File Number: 1646393100025

Minnesota Statutes, Chapter: 322C

This certificate has been issued on: 05/01/2026



Steve Simon
Secretary of State
State of Minnesota

Office of the Minnesota Secretary of State

Minnesota Limited Liability Company/Articles of Organization

Minnesota Statutes, Chapter 322C



The individual(s) listed below who is (are each) 18 years of age or older, hereby adopt(s) the following Articles of Organization:

ARTICLE 1 - LIMITED LIABILITY COMPANY NAME:

Austin Property RE JV, LLC

ARTICLE 2 - REGISTERED OFFICE AND AGENT(S), IF ANY AT THAT OFFICE:

Name

Address:

Platinum Filings LLC

1010 Dale St N St. Paul MN 55117 USA

ARTICLE 3 - DURATION: PERPETUAL

ARTICLE 4 - ORGANIZERS:

Name:

Address:

Jordan R. Holzgen

333 Bridge St. NW, STE 1700 Grand Rapids MI
49504 USA

If you submit an attachment, it will be incorporated into this document. If the attachment conflicts with the information specifically set forth in this document, this document supersedes the data referenced in the attachment.

By typing my name, I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

SIGNED BY: **Jordan R. Holzgen**

MAILING ADDRESS: None Provided

EMAIL FOR OFFICIAL NOTICES: UCC@platinumfilings.com



Work Item 1646393100025
Original File Number 1646393100025

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
FILED
05/01/2026 11:59 PM

Steve Simon

Steve Simon
Secretary of State

Questions /Issues / response to Lisa RE: Outdoor Cannabis

Business model Page 1

- Says "subdivide" into individual leased cultivation.
 - Verifying, leasing these areas and not subdividing (as in creating lots with deeds). – The lots will be leases and will not be "subdivided" into lots creating a deed. In 2026 we plan to lease only 4 lots.
 -

How are you determining you will be under 10,000 gpd and less than 1 million gallons per year? The property owner has utilized over five years of expertise managing outdoor grows in Michigan to calculate the expected water usage for this site.

Additionally, we have consulted with the DNR regarding the necessary permits and usage requirements. Based on those discussions, it has been determined that with only four lots being leased, water usage will remain under 10,000 gallons per day.

-
- Sounds like you are putting in an irrigation system. Yes, an irrigation system will be put in and all lines will remain within the setbacks and within the perimeter of the fenced property.
-
- I have concerns regarding this portion: Each tenant is to cultivate one half acre and plant accompanying flowering plants as a measure of odor control. However, it says in this document if OCM allows that amount of acreage to increase, it will be allowed. So what happens to the companion plantings then – as this is part of the odor mitigation plan. Each lot will be a 1 ½ and if the OCM allows a larger canopy, the number of plantings will be limited, if necessary, to keep the current companion plantings or increased if necessary.
-
- THIS WILL BE AN ISSUE. See top page 4.
- Buildings used for employees will need to meet State Building code requirements. Many of the structures on this property were permitted as agricultural structures – which are exempt from building code requirements. Changes in use will require a new permit and you must show, via a private inspection report – these structures meet building code requirements. Any permits that will be required will be applied for once the approval of the CUP has been given. The buildings that are not structurally sound will be torn down. All uses of any building on the property will be confirmed with the Township or County and used accordingly. The current house will not be used as a permanent dwelling.
- The 6ft x 16ft movable accessory storage structures will require zoning permits. If moved to a different location than permitted, new zoning permits shall be required. – All zoning permits will be applied for once the CUP is approved. It will be noted that if the structures are moved (highly unlikely) new permits will be requested.

- Please send a picture example of the type of fencing that will be implemented around the outside perimeter for the Planning Commission. **Pictures have been included.**
- Are the gates electronically accessed? Or something else? **Perimeter of the property gates will be electronic with access codes given to the county or emergency service officials if required. There will also be signed posted with emergency contact numbers.**
- I want more information about your exterior lighting to make sure it doesn't cause nuisance to adjacent landowners. Can you show those lighting areas on the site plan? We will want continuous lighting deflected downward so it doesn't affect adjoining landowners or traveling public. **Any lighting will be motion activated and only near the house, not the structures on the leases growing fields. The lights will have deflectors and will not be more than any residential outdoor lighting. No lighting will be on the fields as that will deter the growing process. Once the sun sets the field will be complete dark in order to assist with the growing process.**
- When you state "employees" do you consider tenants employees or just those who are physically working onsite? Please define employees. **A Person hired to physically working on site.**
- How many employees total will there be on site at maximum? **2 employees per leased lot. In 2026 there will only be 4 lots leases.**
 - **Dust control for increased traffic – nuisance conditions? There will be no more dust or increased traffic other than for normal agriculture uses. The fields are harvest by hand and all plants will then be taken into the storage containers for cutting, drying, curing. The impact will be less than other permitted uses.**

Hours of operation for all different phases. **Please be advised that operating hours will typically be from 8:00 AM to 6:00 PM during most phases of the project. During harvest, hours will be extended until the local sunset.**

Please note that no operations will take place before sunrise or after sunset.

- What types and sizes of vehicles will be accessing this location? Frequency. Adequate turn around? **Employees will arrive in standard passenger vehicles. Transport vehicles will be limited to sprinter-style vans of one ton or less. These vans will only be on the property for loading, which typically takes 30 minutes or less, and will not be stored on-site at any time.**
 - **What about for emergency vehicles should they need to respond? Emergency vehicles will have access to the electronic gates via a code which will be given to them. A Sign will be posted with local numbers for emergency calls.**
- Is the parking loading areas on the site map include peak season or only normal seasonal activities. We will want site map to show locations & size of peak season parking loading. **During peak season the parking will not change from**

the day-to-day operations. No more than 2 vehicles on each lot. All loading will be done in front of the storage container and will not take more than 30 minutes.

- ODOR CONTROL PLAN: Do you have any statistical data showing levels of terpenes leaving the site and by how much the odor will decrease over time/distance? If not, if you do not have supporting data – I would expect the PC to recommend denial. This was an issue in the most recent application. How are these percentages calculated? You reference modeling – can you provide that modeling for the PCs review. You are going to want to “beef this area up” or it will likely be denied or tabled. **Please provide modeling specific to this site.**
-
- Per my last review (2 weeks ago) OCM and MPCA had no standards for cannabis odor mitigation and is currently working on it. Their official statement is that the local unit of government should address this in their permitting.
- RE: setbacks: Currently there is not setback from residences; **but be forewarned** I have been directed to change the ordinance so that a 1000 ft setback from outdoor cannabis grow facilities, similar to that of feedlots and to incorporate a 2-mile setback from the City of Austin, 1 mile from all other municipalities. This stems from the most recent application just outside the City of Austin. While I cannot enforce this upon your application – I want you to know it is being considered and will likely be on the next PC meeting. Your application has been submitted prior to this being implemented. **Thank you for the update.**
- Please provide documentation supporting hydrogen peroxide-based sanitation products and where is this system being placed? Is it around the entire perimeter? **The spray will be used by hand held sprays that will be done weekly or more if needed. Employees will walk around the plants and spray plants and surrounding areas.**
- Can you show the location of the companion plantings – how much area will this occupy per site?

WASTE: Can you be more specific about how cannabis waste will be disposed of? Will it be landfilled? Composted? Burned? What is the method? Where are these facilities located? **All cannabis waste will be rendered unusable and unrecognizable by:**

- Grinding or shredding will be on each licensee's lot.
- Mixing with non-cannabis material (e.g., soil or green waste)
- It will then be used as compost around the fields as fertilization

What are the anticipated larger waste streams – can you be specific about disposal of these materials. **We do not anticipate any large waste as all debris will be composts and reused as fertilization.**

- The septic system was designed for a 5-bedroom dwelling. Adding employees and other water uses to this system may exceed the amount of water this system was designed for. This system may need to be increased in size to support the proposed use or consider a separately designed system.
 - In addition – septic systems are designed for human waste and not industrial or processing wastes. This may need addressing. No industrial or processing waste will be on the property as no pesticides are used on the plants. The septic system will only be used for human waste processes. In 2026, we will have 8 or less people on the farm on a continues daily basis.
 - Septic systems are not required to be inspected annually – is this something you are proposing?

The septic system will be inspected and maintained as required.

WELL PROTECTION: you may need to protect the well from certain uses or activities.

The well will be used for irrigation and septic uses only. The current well will be used for these activities.

FOF

1. **That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity-**

The Planning Commission must find the proposed use will not be injurious to the use and enjoyment of other property in the immediate vicinity BECAUSE (list reasons):

- Response -The proposed use of the property will be for outdoor licenses cannabis cultivation only. No other cannabis activity, such as retail, extraction, processing, manufacturing, public access, or use of cannabis will be allowed on the property. Operations will be conducted in a controlled, secure, and compliant manner that minimizes external impacts. The impact to the surrounding agricultural area would be no more than any traditional agriculture facility. The traffic will be minimum and very few, if any, large vehicles (under 1 ton sprinter van type) will be entering and existing the property. The site will comply with all township and county setbacks which will allow natural buffering plans to be planted (clover, lavender, rosemary, lemon balm, and ryegrass) which have odor controlling properties.

Proposed Plant Materials & Quantities

Plant Species	Proposed Quantity
Clover	5,000 sq. ft.
Lavender	120 plants
Rosemary	85 plants
Lemon Balm	95 plants
Ryegrass	8,000 sq. ft.

General Layout

- Lavender and rosemary plantings will be staggered intermittently around the perimeter to create visual diversity and seasonal color variation.
- Lemon balm will be incorporated between herb clusters to provide additional density and pollinator habitat.
- Clover and ryegrass seed mixes will be applied continuously along the perimeter buffer areas to provide uniform ground coverage and assist with stormwater stabilization.
- Plant spacing and final placement may be adjusted slightly during installation to accommodate grading, utilities, drainage patterns, and existing site conditions.

- An 8-foot fence with mesh will surround the perimeter of the property as a windbreak and keep visual disturbances to a minimum to help control odor.

USDA National Agroforestry Center shows:

- Windbreaks reduce wind speed for distances up to 10–15 times their height
- Maximum wind reduction occurs at 3–5 times the windbreak height downwind
- Studies on agricultural systems show vegetative buffers:
- Increase turbulence and vertical mixing
- Reduce transport of odor-bearing particulates

By completing a google map search, there are 12 residential properties identified in the vicinity: six are located within 300–1,000 feet, and the remaining six are over 1,000 feet away, with many significantly further than that.

Research suggests that cannabis odors are typically detectable up to 300–1,000 feet during the peak flowering (15-30 days) and harvesting periods (5-10 days), which usually occurs during the cooler months of the year. Because all other operations will be conducted inside shipping containers, odors will be further mitigated.

Additionally, agricultural odor dispersion studies indicate that concentrations decrease rapidly with distance due to atmospheric dilution, turbulence, vegetation, and changing wind patterns. In addition to these mitigation options, low-terpene plants will be grown, additional vegetation barriers will be set up, along with hydrogen-based sprays to further decrease the odor.

This Hydrogen Peroxide (“H₂O₂”) Spray Application Plan is intended to establish a consistent sanitation and preventative maintenance program to encourage healthy plant growth and reduce odors.

Application Materials

Material	Concentration	Intended Use
Food-Grade Hydrogen Peroxide (H ₂ O ₂)	3%–12% diluted solution	Foliar sanitation and preventative treatment
Clean Water	N/A	Dilution carrier
Backpack or Mechanical Sprayer	N/A	Uniform application

Application Schedule

Vegetative Growth Phase

- Apply once every 7–14 days as a preventative foliar spray.
- Conduct applications during early morning or late evening hours to minimize leaf stress and evaporation.

Flowering Phase

- Apply once every other day with foliar spray.

Post-Rain / High Humidity Conditions

- Additional preventative applications may occur following prolonged rainfall, elevated humidity, or environmental conditions favorable to mold or mildew development.

Other than the growing and harvesting of the crop, all other activities, including drying, curing, and packaging, will be conducted in the 40' x 8' shipping containers on each of the lots. The growing season is from March to end of October beginning of November with the majority of the harvesting being done toward the end of the growing cycle.

- 2. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area. The proposed use will not impede the normal and orderly development of surrounding vacant properties for uses predominant in the area BECAUSE (list reasons)**

Response. As this property is located a primary agriculturally zoned areas, the use is consistent with the rural and agricultural character of the area and is compatible with predominant land uses. As with any agriculture property and development would need to take into account the potential for odor. In both the agriculture district and the rural district of the zoning ordinance, owners, residents and other users of the property may be subjected to inconveniences or discomfort arising from the normal and accepted agriculture practices and operations, including by not limited to noise, odor, dust, operations of machinery, the storage and disposal of waste. The dust and noise should not be greater than any other agricultural uses in the surrounding area. With a limited number of employees on the field, with harvesting done during the day light hours and the fact that all harvesting is done by hand with no large amount of equipment, the noise and dust will be minimal. The impact will not impede the normal development of vacant properties for agriculture use.

- 5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.**

The Planning Commission must find that adequate measures have been or will taken to prevent or control the following offenses so that none of these will constitute a nuisance and that lighting shall not create a disturbance to neighboring properties.

Response. Odor concentrations naturally decrease with distance due to atmospheric mixing and dispersion. Agricultural odor observations indicate that odor concentrations may be reduced by approximately 50–80% within the first 100 feet, depending on environmental and weather conditions. The Minnesota Pollution Control Agency recognizes separation distance as a primary factor in reducing odor impacts, as dispersion lowers odor concentrations below typical detection thresholds. With the use of vegetative windbreaks and barriers, research from USDA National Agroforestry Center demonstrates that windbreaks:

- Reduce wind speed for distances up to 10–15 times their height
- Provide maximum wind reduction approximately 3–5 times the windbreak height downwind

Studies involving agricultural operations further indicate that vegetative and fencing buffers:

- Increase vertical air mixing and turbulence

- Reduce transport of odor-bearing particulates
- Improve overall environmental buffering between properties

Ground cover and vegetated surfaces throughout the site contribute indirectly to odor reduction by stabilizing environmental conditions and reducing volatilization.

Benefits include:

- Reduced soil temperature
- Reduced surface evaporation
- Reduced dust generation, which can carry odor compounds

Agricultural data published by the USDA supports that vegetated systems improve microclimate stability and reduce conditions that contribute to odor transport.

The Agency for Toxic Substances and Disease Registry recognizes that odor perception is strongly impacted by exposure duration. Harvesting and post-harvest activities will therefore be managed through scheduling and operational controls to reduce cumulative odor exposure.

Noise will be minimal, unlike traditional agriculture farms, cannabis is harvested by hand, with all other activities occur with the storage containers. The harvesting will be done during the day light hours, which is consistent with typical farming.

Overall, the proposed use is expected to be compatible with surrounding agricultural land uses and will not create unreasonable environmental impacts on neighboring properties or the surrounding community.



Proposed New Grow Operation
Mango Cannabis
24826 560th Avenue
Austin, Minnesota 55912

PROJECT #:	25018
DRAWN:	MAS
CHECKED:	MAS
DATE:	05/15/2026
ISSUED:	

REVISIONS: _____

SITE DEVELOPMENT PLAN

SD100

**Justin Dunaskiss
Vice President
Dunaskiss Consulting and Development, Inc
900 South Lapeer Road
Oxford, MI 48371**

On-site Odor Control Assessment and Property Inspection:

Property Location:

24826 560th Ave.

Austin, MN 55912

**Elite Environmental Services LLC
23518 Cross Dr
Deerwood, MN 56444
Fax# (218) 546-5504
Cell# (218) 851-1133**

Project Inspected By: _____

Brad Johnson MN Environmental Consultant

May 15th, 2026

Mr. Justin Dunaskiss
Vice President
Dunaskiss Consulting and Development, Inc.
900 South Lapeer Road
Oxford, MI 48371
Phone: (248) 693-1391



Assessment Completion Documentation

On-site Property Assessment – Odor Control Plan Review:

It is with great pleasure to provide Justin Dunaskiss with documentation for the on-site assessment and review of the proposed odor control plan for the property of 24826 560th Ave. Austin, MN 55912. Elite Environmental Services (EES) was hired to assess the property and surrounding area to ensure the proposed odor control plan would be sufficient to not cause an odor nuisance and disrupt the surrounding occupied properties and satisfy state, county and local requirements. EES conducted the inspection on the morning of May 15th, 2026.

Observations & Environmental Assessment

Found below is the proposed odor control plan completed by Dunaskiss consulting and development along with the third-party consulting input from Brad Johnson, Elite Environmental Services consultant.

- ✓ EES notes that currently OCM and MPCA do not have standards in place for cannabis cultivation odor mitigation and their official statement is that local unit of government should address the odor mitigation.

Odor Control Plan

Overview

Outdoor cannabis cultivation produces intermittent odor, with peak intensity typically occurring during the flowering phase. The facility will implement a layered odor mitigation strategy incorporating setbacks, sprays, strategic vegetative barriers, cover crops, genetics with low-odor phenotypes, and operational controls, including harvest timing adjustments for extraction-designated material.

Setbacks & Buffer Zones

The cultivation area will be set back from the perimeter fence and property boundaries to meet the local, county, and state requirements of 40', to establish a buffer zone that promotes natural odor dilution and atmospheric dispersion. Increasing the distance between the odor source and the property line allows airborne compounds to mix with ambient air, reducing odor concentration before reaching adjacent properties.

Setbacks (Distance-Based Dilution)

Odor concentrations decrease with distance due to atmospheric mixing and dispersion.

- Agricultural odor modeling and field observations indicate:
 - 50–80% reduction in odor concentration within the first ~100 feet, depending on environmental conditions
- The Minnesota Pollution Control Agency recognizes distance as a primary factor in reducing odor impacts, as dispersion reduces concentrations below detection thresholds

Application to this project:

The proposed setbacks are consistent with distances shown to significantly reduce the potential for off-site odor detection.

Vegetative Windbreaks & Barriers

Windbreaks are a well-established agricultural practice used to reduce odor transport.

- Research from the USDA National Agroforestry Center shows:
 - Windbreaks reduce wind speed for distances up to 10–15 times their height
 - Maximum wind reduction occurs at 3–5 times the windbreak height downwind
- Studies on agricultural systems show vegetative buffers:
 - Increase turbulence and vertical mixing
 - Reduce transport of odor-bearing particulates

Application to this project:

Multi-row vegetative barriers and windbreak fencing will disrupt airflow, reduce horizontal odor transport, and enhance dilution before air reaches property boundaries.

Airflow Disruption (Fencing + Vegetation)

Porous barriers such as mesh fencing and vegetation alter airflow patterns:

- Airflow is slowed and redirected upward, reducing ground-level odor transport
- Layered systems improve dispersion through increased turbulence

Application to this project:

The combination of fencing and vegetative buffers provides stacked airflow disruption, improving overall odor attenuation.

Ground Cover & Microclimate Management

Ground cover contributes to odor reduction indirectly by modifying site conditions:

- Reduces:
 - Soil temperature
 - Surface evaporation
 - Dust (which can carry odor compounds)
- USDA data indicates vegetated systems improve microclimate stability and reduce volatilization conditions

Application to this project:

Cover crops such as clover, lavender, rosemary, lemon balm, marigolds, and ryegrass support stable environmental conditions and reduce factors that contribute to odor transport.

Plant Variety – genetics with low-odor phenotypes

The intent is to select plant types with genetically lower order emitting terpenes which will help reduce the odor and still yield a high-quality crop. Under ideal growing conditions each plot would yield approximately 5000 pound per growing season. Plant types such as the following would offer the best options with the least amount of odor:

- Animal Face
- Caribbean Breeze
- Sharpie
- Zep

Application to this project

Planting with low odor phenotypes will help reduce the odor due being lower in beta-myrcenes, which is a major terpene trace associated with strong odor.

Operational Controls (Harvest Timing)

Odor impact depends on both concentration and duration of exposure.

- The Agency for Toxic Substances and Disease Registry notes that odor perception is influenced by intensity and exposure duration
- Reducing the duration of peak emission periods lowers total odor exposure

Application to this project:

Harvest timing may be advanced relative to peak flowering conditions to reduce the duration of highest odor intensity.

Supplemental Sanitation Measures (Hydrogen Peroxide-Based Products)

Products such as Zerotel 2.0 contain hydrogen peroxide (H_2O_2), a strong oxidizing agent.

Hydrogen peroxide functions by:

- Breaking down organic compounds through oxidation
- Oxidizing and degrading volatile organic compounds, including terpenes (the primary aromatic compounds responsible for the characteristic odor of cannabis), upon direct contact
- Reducing microbial populations that can contribute to secondary odors
- Being widely used in agriculture and food production for sanitation and organic load reduction

Application to this project:

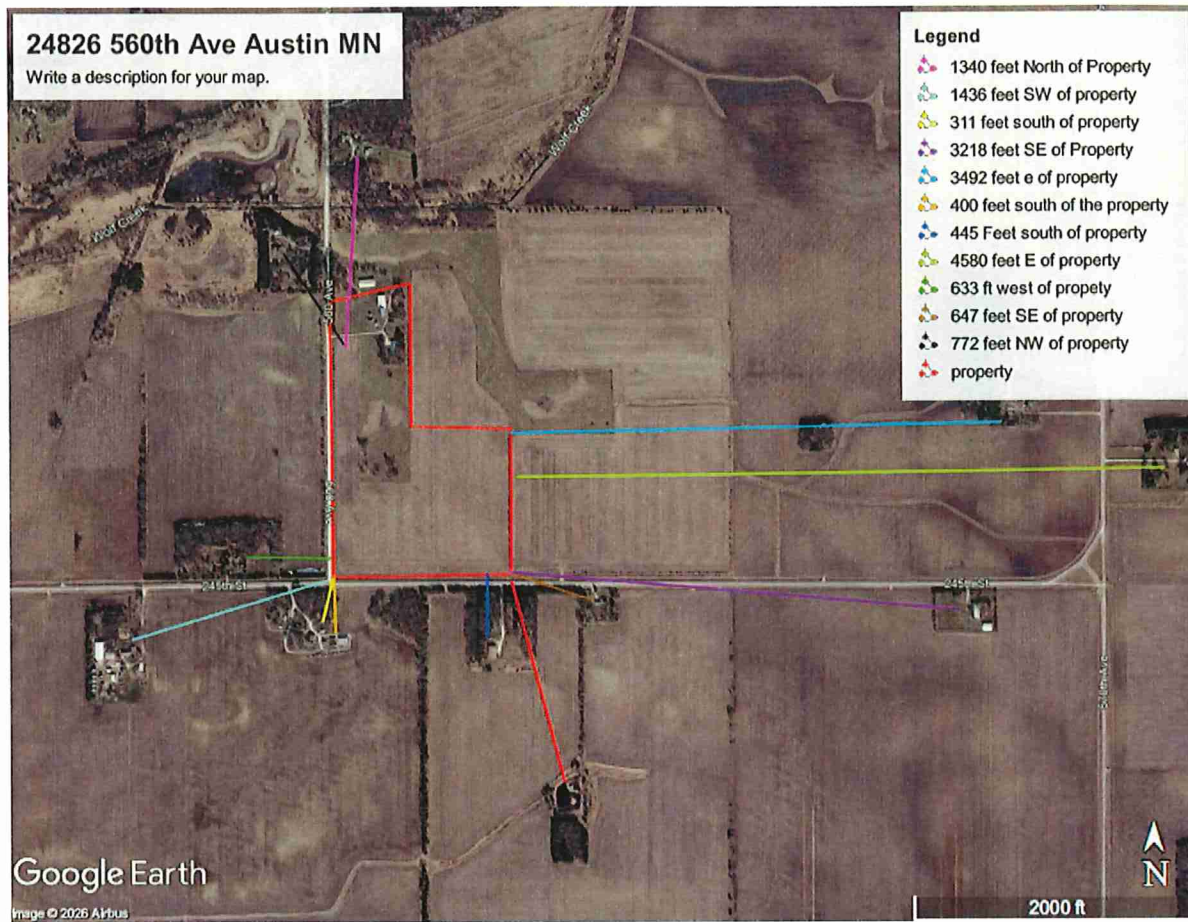
While not used as a primary odor control method, hydrogen peroxide-based sanitation products may be utilized in targeted applications (e.g., equipment, surfaces, or localized areas) where direct contact can occur, contributing to the reduction of organic material and localized odor compounds. These measures support the facility's overall odor mitigation strategy in conjunction with setbacks, vegetative buffers, and operational controls.

Summary

The proposed odor control strategy utilizes multiple complementary methods supported by agricultural research and environmental science:

- Setbacks provide primary dilution (significant reduction with distance)
- Windbreaks reduce wind velocity and enhance vertical mixing
- Fencing and vegetation disrupt airflow and limit odor transport
- Ground cover stabilizes environmental conditions
- Operational controls reduce duration of peak emissions
- Sanitation practices reduce organic material that may contribute to localized odor

Collectively, these measures form a layered mitigation system that significantly reduces the potential for detectable odor at the property boundary.



Pictured above is the aerial view of the property proposed for the outdoor cannabis cultivation site, with a map legend to help assist with the site-specific odor control modeling mitigation barriers and applicable distances to the other occupied properties and residences.

1. Site Dispersion Characteristics

Terrain Effects

The site's flat terrain promotes:

- relatively uniform atmospheric dispersion,
- lower canyoning or inversion trapping,
- less odor pooling than valley terrain.

Vegetative Buffering

The surrounding trees and vegetation provide meaningful passive mitigation by:

- increasing mechanical turbulence,

- disrupting coherent odor plumes,
- promoting vertical mixing,
- reducing receptor-level concentration downwind.

Vegetative barriers commonly reduce near-field odor intensity by approximately:

- 15–40% depending on density and seasonality.
- **Please see visual references of the vegetative buffers in Appendix A.**

Because Minnesota vegetation density decreases into October, odor attenuation effectiveness may decline somewhat during peak flowering.

2. Meteorological Odor Transport

Wind Conditions

Average seasonal winds of 8–11 mph are relatively favorable for odor dilution. The average wind speed data was collected by meteorological data site of weatherspark.

Under these conditions:

- plume concentrations disperse rapidly,
- odor residence time decreases,
- downwind concentration spikes become intermittent rather than continuous.

Higher sustained winds generally reduce persistent odor nuisance conditions compared with stagnant environments.

Regional data around Austin, Minnesota indicates typical summer/fall wind speeds generally ranging from approximately 8–11 mph.

3. Peak Odor Emission Period

The strongest emissions would likely occur during:

Late Flowering / Harvest Window

Approximate period: mid-September through mid-October.

Peak emissions typically occur:

- during warm afternoons,
- at dusk/evening terpene release periods,
- during harvest handling and trimming activities.

Morning dew and evening humidity may temporarily increase odor detectability near the site boundary.

4. Estimated Downwind Detectability

Based on:

- 5,000 lb annual harvest scale,
- outdoor cultivation,
- terpene characteristics,
- Minnesota wind conditions,
- vegetative buffering,
- flat terrain,

the estimated odor detection ranges are:

<u>Condition</u>	<u>Estimated Detectability</u>
------------------	--------------------------------

500–1,000 ft	Moderate detectable odor during flowering
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0.25–0.5 mile	Occasional faint odor under favorable wind
---------------	--

>1 mile	Unlikely except during harvest or inversion events
---------	--

Because of the lower beta-myrcene profile, persistent long-range skunk odor transport is expected to be materially lower than conventional high-myrcene cannabis cultivars.

5. Atmospheric Stability Considerations

The highest odor concentrations would likely occur during:

- low-wind evening conditions,
- temperature inversions,

- high humidity mornings,
- harvest agitation activities.

However, southern Minnesota's typical prairie airflow and moderate winds substantially reduce prolonged stagnation events compared with mountainous or coastal cultivation regions.

6. Conceptual Regulatory Odor Risk

Estimated Nuisance Potential

Distance to Receptor Estimated Risk

<500 ft	Moderate
500–1,500 ft	Low-Moderate
>1,500–2,000 ft	Low
>1 mile	Minimal

EES notes that the odor modeling data indicates that only three of the eleven surrounding properties, under 500 ft. from the cultivation site, would be affected in a "moderate" sense of odor nuisance. The majority of the surrounding properties will experience a "low" odor exposure nuisance.

7. Recommended Mitigation Measures

The following measures would substantially reduce nuisance potential:

Recommended Controls

- Maintain existing tree shelterbelts
 - Add evergreen windbreak rows if feasible
 - Schedule harvest handling during daytime windier periods
 - Rapidly remove waste biomass
 - Use covered transport for harvested material
 - Avoid overnight biomass accumulation
 - Maintain perimeter setback distances where possible
-

8. Overall Technical Conclusion

Based on the information provided, the proposed cultivation operation would likely be categorized as:

A moderate agricultural odor source with intermittent seasonal detectability primarily limited to the flowering and harvest period.

Key factors reducing odor impact include:

- lower beta-myrcene terpene expression,
- consistent regional wind movement,
- flat topography,
- surrounding vegetation buffers,
- outdoor atmospheric dilution.

Under typical southern Minnesota meteorological conditions, sustained nuisance-level odor impacts beyond approximately 0.5–1 mile are unlikely except during short-duration harvest or inversion events.

EES would like to thank Justin Dunaskiss for the opportunity to complete this odor control plan assessment and plan review. If there are any additional questions, feel free to contact Brad Johnson, at your convenience, by email at: brad.johnson.elite@gmail.com, or by phone at 218-851-1133.

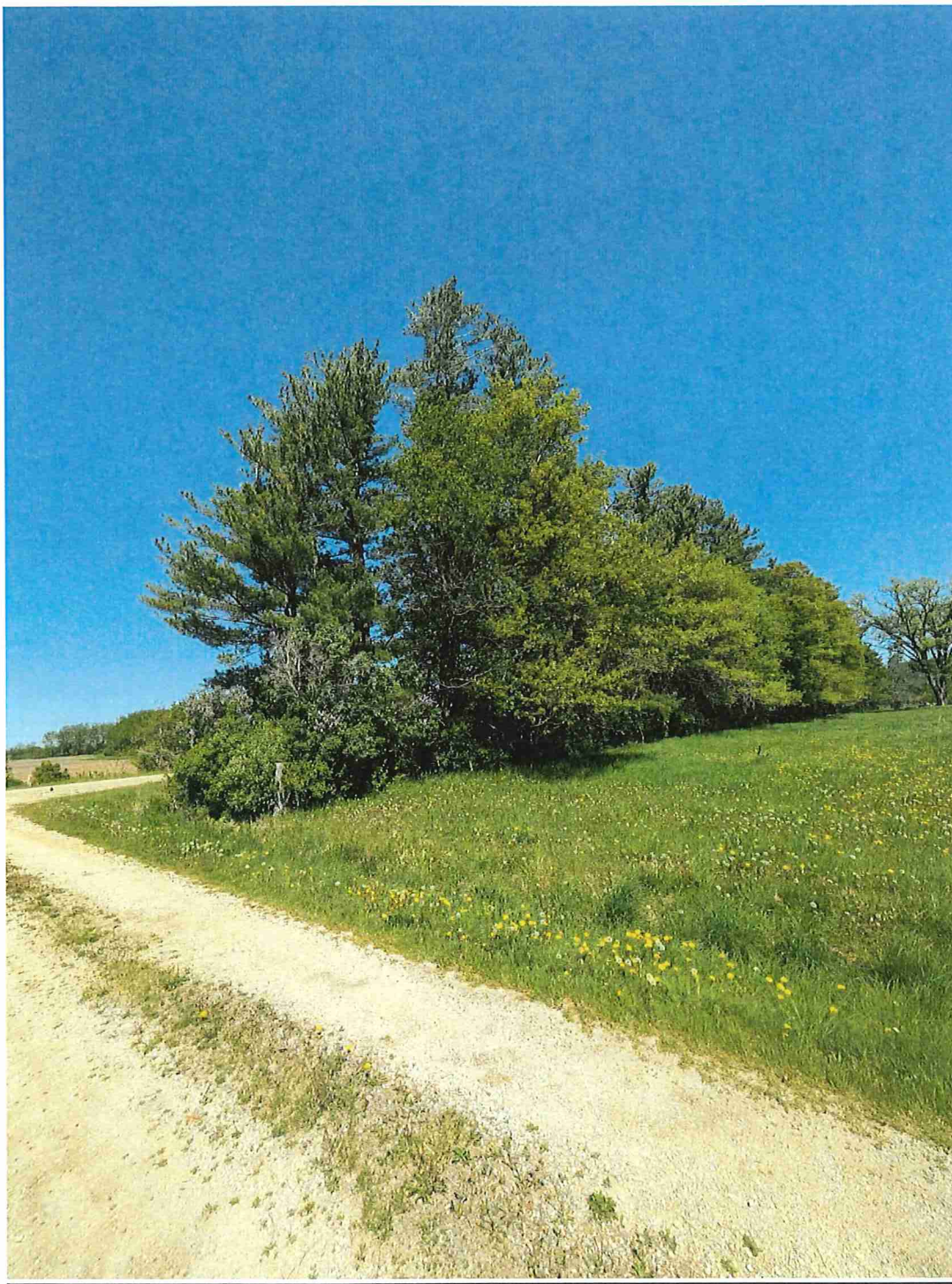
Thank you for your business,



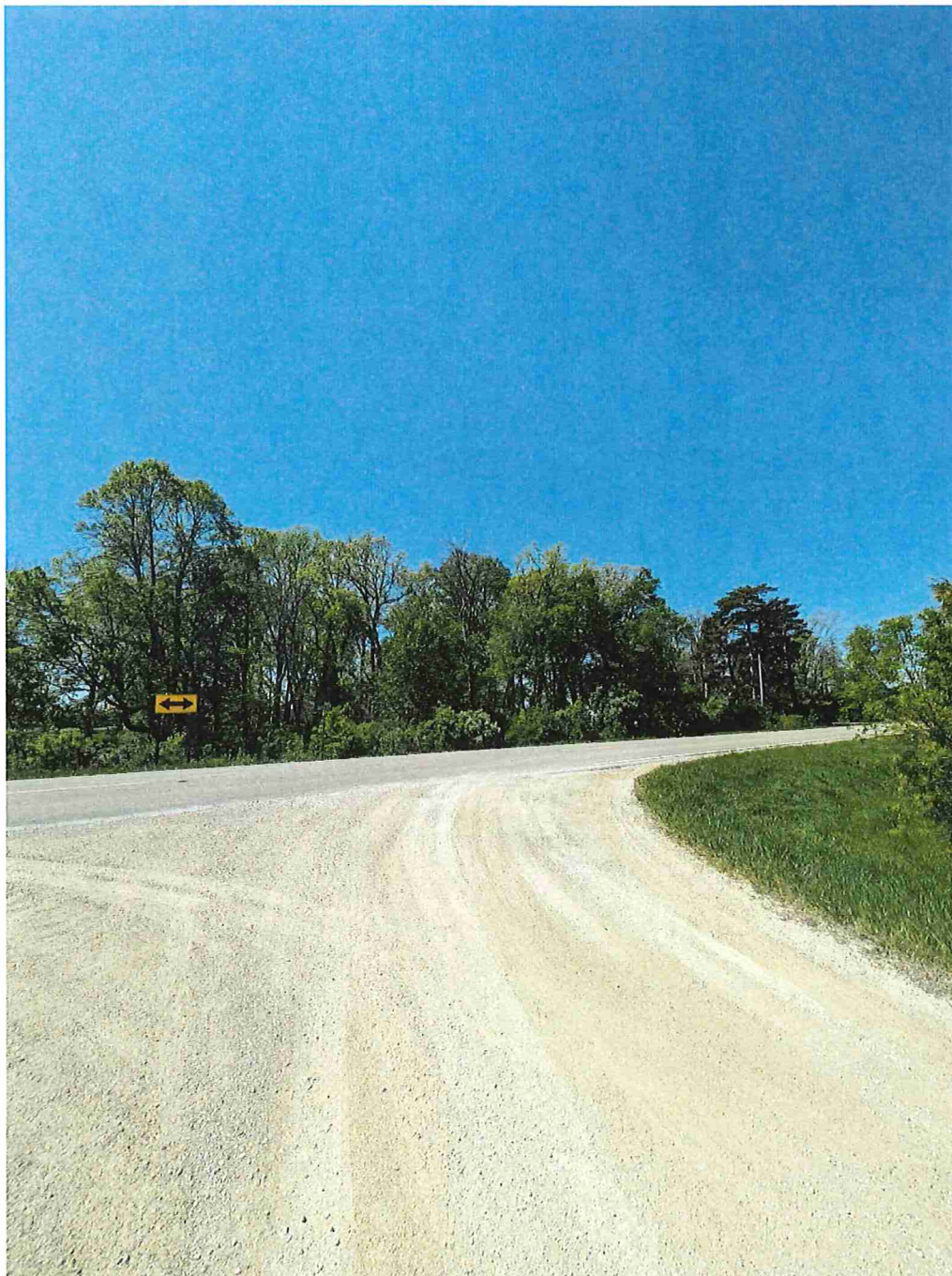
Bradley W. Johnson Jr , Owner



Appendix A: On-Site Pictures

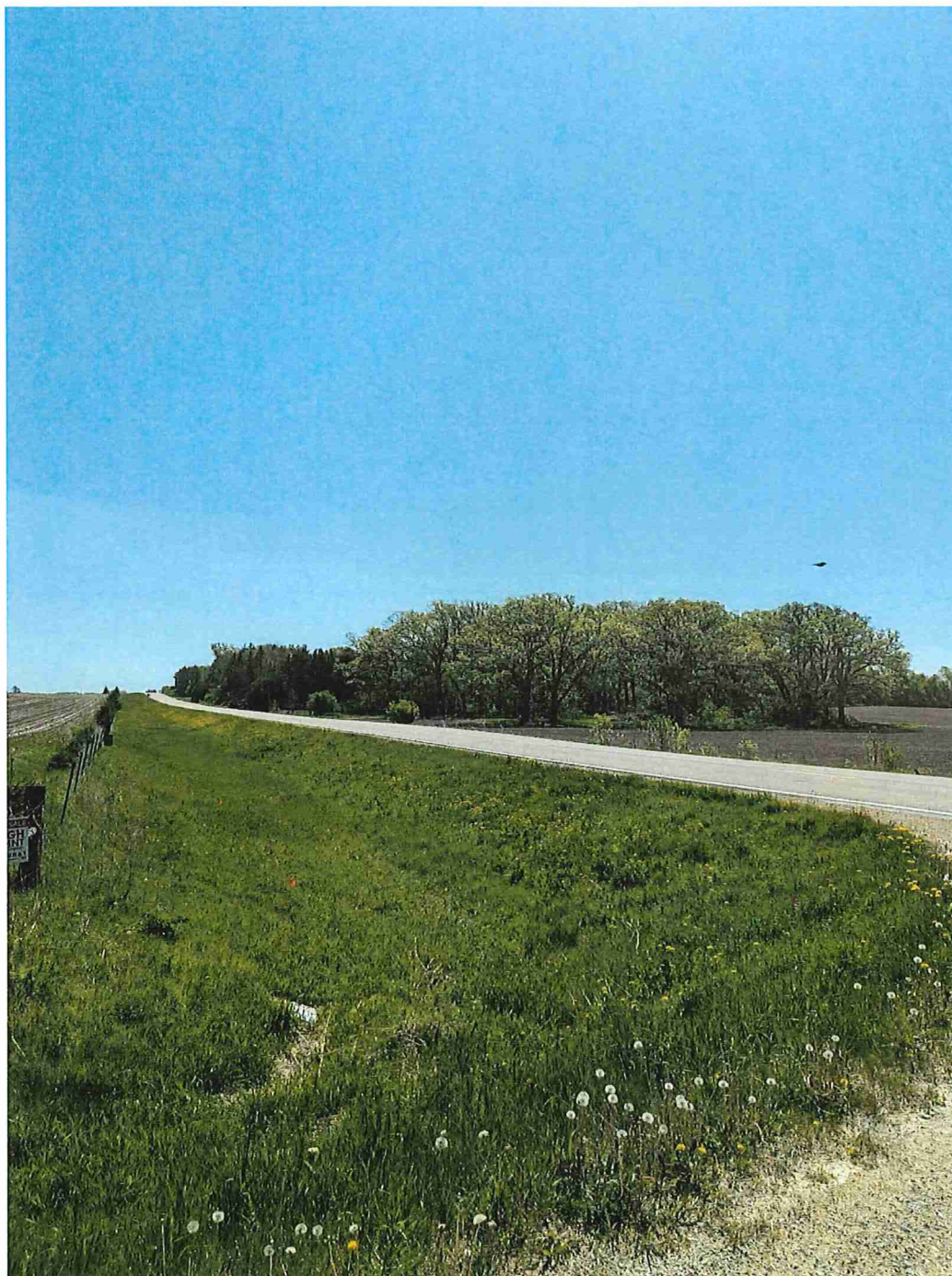


Property Entrance Area:
Example of the large vegetative barrier to allow for an odor barrier and vertical dispersion of moving air.



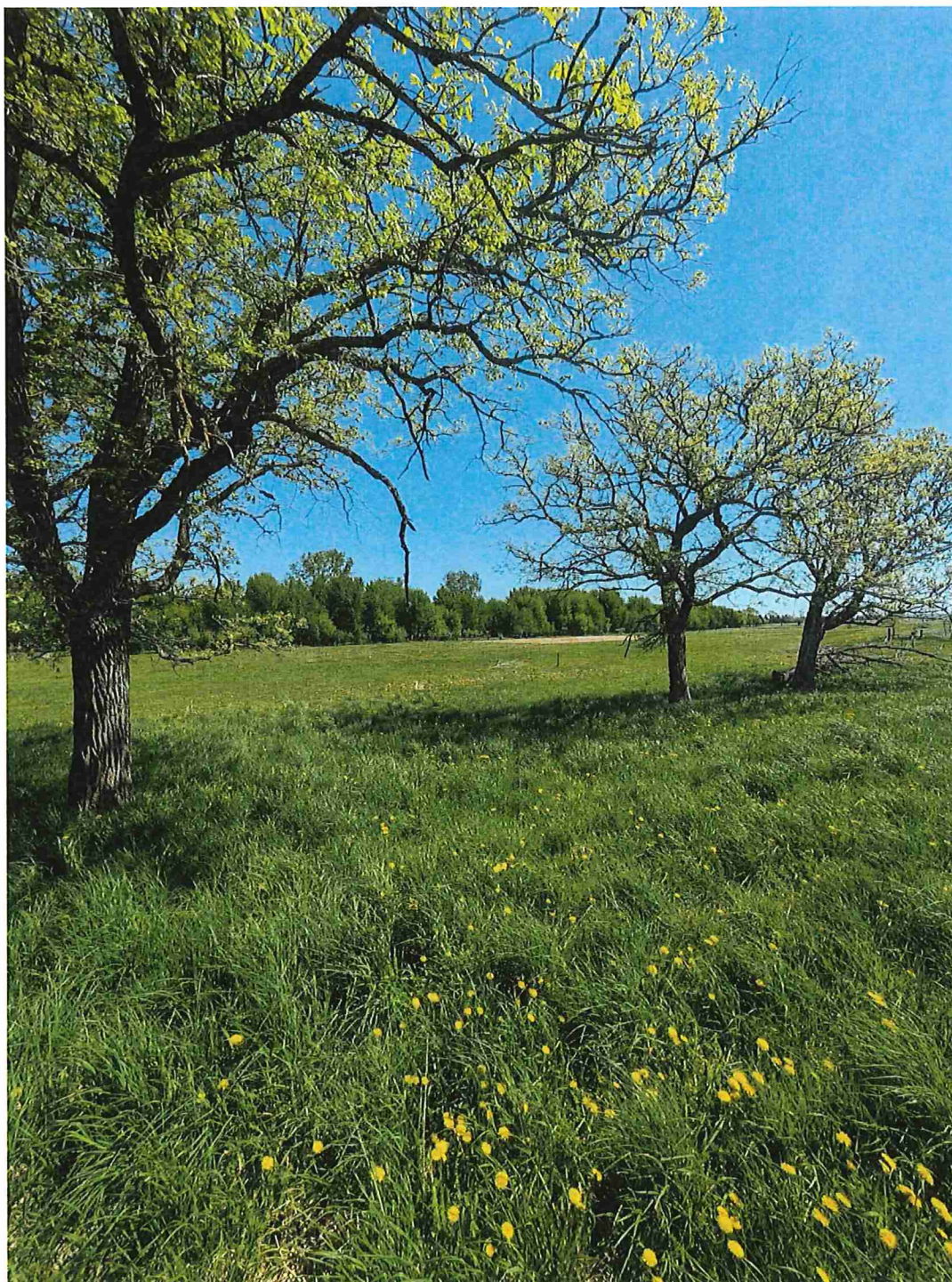
Property Cross Street Area: South-West View

Example of the large vegetative barrier to allow for an odor barrier in regard to the nearest property that would experience a “moderate” odor level, as per the modeling data. This is the south end of the cultivation site.



Property Cross Street Area: South-East View

Example of the large vegetative barrier to allow for an odor barrier in regard to the nearest property that would experience a “moderate” odor level, as per the modeling data. This is the south end of the cultivation site.



Property Area: North End

Example of the large vegetative barrier to allow for an odor barrier in regard to the north-end of the cultivation site. The north end of the cultivation site will have enough odor dispersion to allow for a “low” odor exposure, according to data modeling.

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

NRCS-CPA-026E
8-95

HIGHLY ERODIBLE LAND AND WETLAND
CONSERVATION DETERMINATION

Name: MORSE, GEORGE
County: MOWER

Tract: 1099
Request Date: 05/22/00

Farm: 1585
FSA Farm No.: 1585

Section I - Highly Erodible Land

Fields in this section have undergone a determination of whether they were highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved conservation system on all HEL.

Field	HEL(Y/N)	Sodbusted(Y/N)	Acres	Determination Date
1	N	N	132.0	05/22/00
NC1	N	N	9.1	05/22/00
NC2	N	N	2.1	05/22/00
NC3	N	N	0.2	05/22/00
NC4	N	N	28.6	05/22/00

Section II - Wetlands

Fields in this section have had wetland determinations completed. See the Wetlands Explanation section for additional information regarding allowable activities under the wetland conservation provisions of the Farm Bill and Section 404 of the Clean Water Act.

Field	Wetland Label	Acres	Determination Date	Certification Date
1	PC/NW	132.0	05/22/00	05/22/00
NC1	W	9.1	05/22/00	05/22/00
NC2	W	2.1	05/22/00	05/22/00
NC3	W	0.2	05/22/00	05/22/00
NC4	NW	28.6	05/22/00	05/22/00

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

NRCS-CPA-026E
8-95

HIGHLY ERODIBLE LAND AND WETLAND
CONSERVATION DETERMINATION

Name: MORSE, GEORGE
County: MOWER

Tract: 1099
Request Date: 05/22/00 FSA Farm No.: 1585

Farm: 1585

Wetlands Explanation

Wetland

Label Explanatory Comments

- NW Non-wetland;
Description: An area that does not meet wetland criteria under natural conditions or wetlands that were converted prior to 12/23/85, not cropped prior to 12/23/85, does not meet wetland criteria, and has not been abandoned; Authorized cropping: No Restrictions; Authorized Maintenance: No restrictions unless the manipulation would convert adjacent wetland labels.
- PC/NW Prior Converted Cropland/Non-Wetland;
Description: An area that contains both prior converted cropland and non-wetland; Authorized Cropping: No restrictions; Authorized Maintenance: No restrictions unless the manipulation would convert adjacent wetland labels.
- Wetland;
Description: An area that meets the wetland criteria including wetland farmed under natural conditions. Includes abandoned wetland resulting from abandonment of other wetland labels; Authorized Cropping: May be farmed under natural conditions without removal of woody vegetation; Authorized Maintenance: At level needed to maintain original system on related farmed wetland, farmed wetland pasture, and prior converted cropland. Must not convert additional wetlands or exceed "original scope and effect"; If you plan to clear, drain, fill, level or manipulate these areas contact NRCS* and COE**.

* Natural Resources Conservation Service

** Corps of Engineers

Remarks

Request for Certified Wetland Determination/Delineation has been completed on this tract. The site visit concluded that 11.4 Ac has remained as "W" wetland in this tract. This determination will become final in 30 days from the attached letter.

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

NRCS-CPA-026E
8-95

HIGHLY ERODIBLE LAND AND WETLAND
CONSERVATION DETERMINATION

Name: MORSE, GEORGE
County: MOWER

Tract: 1099
Request Date: 05/22/00 FSA Farm No.: 1585

Farm: 1585

I certify that the above determinations are correct and were conducted in accordance with policies and procedures contained in the National Food Security Act Manual.

Signature Designated Conservationist

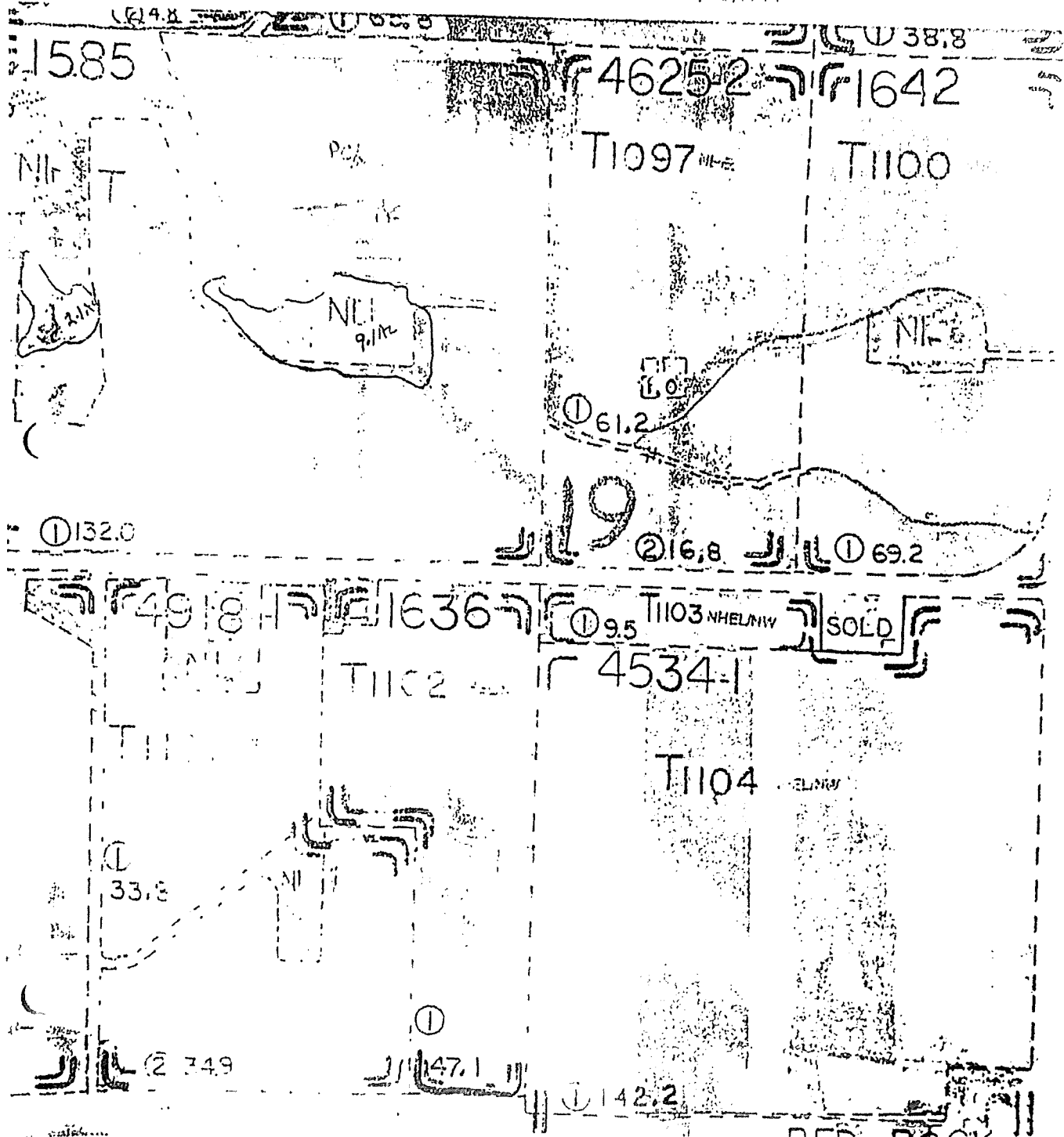
Date

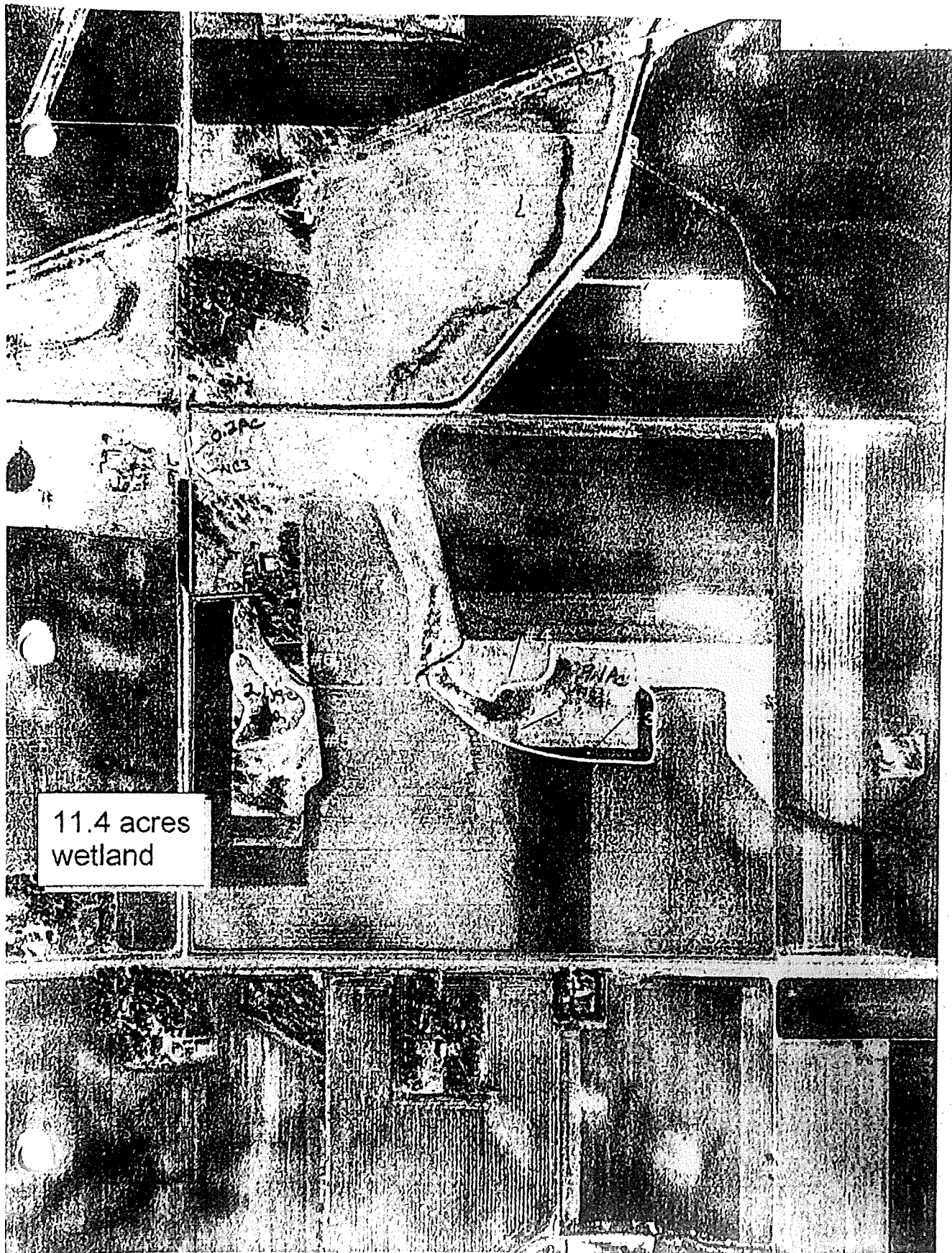
Rusan Glende
Rusan Glende

May 22, 2000

USDA programs and services are available without regard to race color, national origin, religion, sex, age, marital status, or handicap.

T - USA 11 1950
 K - KETLAND
 F - FARMER
 I - ILLINOIS
 M - MISSOURI
 W - WISCONSIN
 I - IOWA
 M - MINNESOTA
 S - SOUTH DAKOTA
 N - NORTH DAKOTA
 B - BRITAIN
 C - CANADA
 A - ALASKA
 H - HAWAII
 P - PORTUGAL
 S - SPAIN
 F - FRANCE
 G - GERMANY
 I - ITALY
 J - JAPAN
 K - KOREA
 L - LUXEMBOURG
 N - NETHERLANDS
 P - POLAND
 R - ROMANIA
 S - SWEDEN
 T - TURKEY
 U - UNITED STATES
 Y - YUGOSLAVIA







101 21st SE
Austin, MN 55912

phone: (507) 434-2603
FAX: (507) 437-4755



May 19, 2000

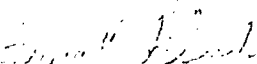
George Morse
RR #2 Box 48
Austin, MN 55912

Mr. Morse - ,

Your request for wetland certification is completed. The appeal procedure is attached to this letter. Please be aware that you have thirty days from the date of this letter to make an appeal.

If you have questions or need to discuss this further please feel free to contact me at 434-2603.

Sincerely,


Susan Glende
District Conservationist / NRCS
SG:jdv

cc: Jan O'Malley / USACOE LaCrosse, WI



101 21st SE
Austin, MN 55912

phone: (507) 434-2603
FAX: (507) 434-2600



SUBJECT: Wetland Certification

Mower County
Tract # 1099

George Morse
RR #2 Box 48
Austin, MN 55912

5/24/00

Mr. Morse ,

This is to notify you that as of the date of this letter, I am making a preliminary technical determination that field (s) # (s) shown in Section II of the attached NRCS-CPA-26E "HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION" form contains wetland determinations with labels /certifications as indicated. These areas met the criteria of hydric soils, wetland plants and soil surface wetness.

We have enclosed a Preliminary Technical Determinations on Form CPA-26E and an aerial photo that includes your certified wetlands determinations along with several facts sheets and information brochures. Any areas shown as "NI" on the map do not have wetland determinations completed.

This wetland certification;

- Includes "other waters of the United States" as defined by the Corps of Engineers.
- Does not include "other waters of the United States " as defined by the Corps. Of Engineers, which include but are not limited to tidal waters, lakes, rivers, streams, mud flats, and intermittent and perennial streams, which are regulated under the Clean Water Act. Contact the Corps of Engineers regarding needs for permits.

In order to maintain your USDA program eligibility and comply with the Clean Water Act, contact us prior to performing the following activities:

- Land clearing
- Drainage (tile or open ditching)
- Drainage maintenance
- Filling, leveling, or dredging
- Land use changes
- Any activity involving "other waters of the United States" as defined above.

As result of statutory and regulatory changes, the United States Department of Agriculture (USDA) appeal process has changed. Under the new appeals and mediation process, this preliminary technical determination will be come final within 30 days unless you request either of the following options:

- (1) A field visit is made by our office to review with you the basis of our preliminary technical determination, answer any questions you have concerning the determination, and to gather additional information from you concerning the preliminary determination.
- (2) Mediation is used in an attempt to settle your concerns with the preliminary technical determination.

Mediation is a process in which a trained, impartial person (a neutral mediator) helps look at mutual problems, identify and consider options, and determine if we can agree on a solution. Unlike an appeal, mediation is private, confidential and informal.

The mediator will help us work together to evaluate the information in your case file and to identify alternatives that will assist us in resolving the dispute. The mediator has no decision-making authority. A mediator cannot decide what is "right" or "make" anyone do anything.

- If the mediation is successful, the mediator will help us to reach an agreement and document that solution in writing. Each party will sign the agreement, and you may continue to pursue your appeal.
- See the enclosed brochure for information on the mediation process.

If you choose to use mediation, NRCS will pay up to one-half of the costs that are appropriate and reasonable which are associated with securing the services of a trained mediator, when the services are provided on other than a voluntary basis. The NRCS will have final discretion over what is considered appropriate and reasonable.

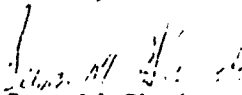
A final technical determination will be issued within 30 days after the field visit, if one is requested, and/or within 30 days following the completion of mediation. **If neither is requested, this preliminary determination becomes final on 6/24/00.** The final technical determination, whether it is a result of the expiration of the 30 day period following receipt of this preliminary technical determination or receipt of a final determination may be appealed to the Farm Service Agency County Committee at the address below. **If you do not take action during the preliminary 30 day period, your appeal rights begin 6/24/00 and ends on 7/24/00.** We will forward a copy of our administrative record to the County Committee for their use in deciding our appeal, should you decide to appeal to the County Committee.

FSA County Committee
101 21st Street S.E.
Austin, MN 55912

If you are the owner of this tract and have a tenant, I urge you to discuss this letter and accompanying NRCS-CPA-026E with your tenant.

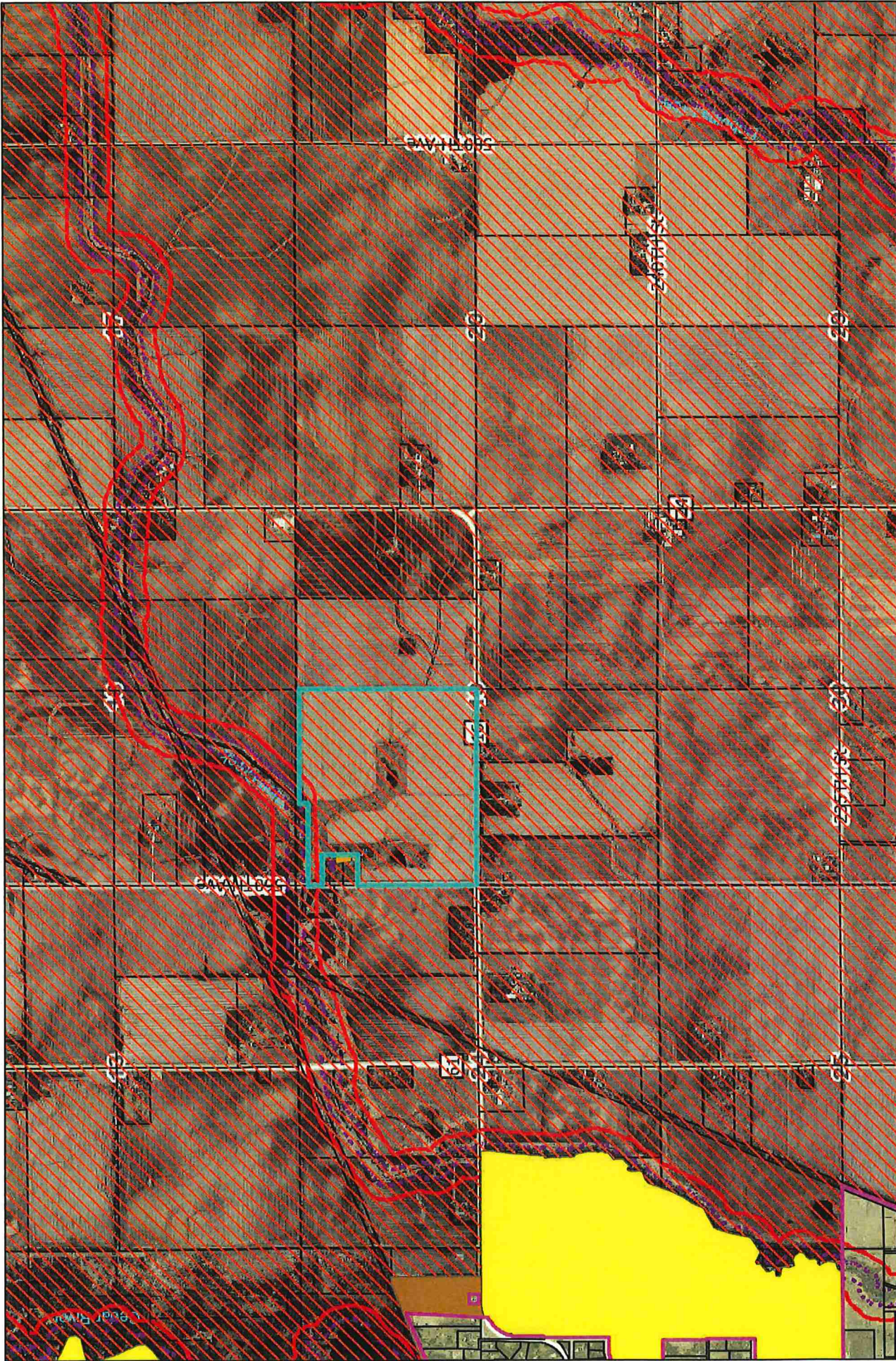
I would be happy to answer any questions or discuss any concerns you might have. Please stop by the office or call me at (507) 434-2603.

Sincerely,


Susan M. Glende
District Conservationist

Jdv:SG

Cc: Leroy Sandven, Mower County CED
John Voz, Mower County Soil & Water Conservation District



16.019.0015 zoning map

Date/Time: 6/3/2026 1:04 PM



DISCLAIMER: Mower County, MN, makes no representation or warranties, express or implied, with respect to the use or reuse of the data provided hereunder, regardless of its format or the means of its transmission. THE DATA IS PROVIDED "AS IS" WITH NO GUARANTEE OR REPRESENTATION ABOUT THE ACCURACY, CURRENTCY, SUFFICIENCY, PERFORMANCE, RELIABILITY OR FITNESS OF THE DATA FOR ANY PURPOSE. MOWER COUNTY, MN, HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES OR THIRD PARTY CLAIMS RESULTING FROM THE USE OF THIS DATA, EVEN IF MOWER COUNTY, MN, HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. THIS DATA MAY NOT BE USED IN STATES THAT DO NOT ALLOW THE EXCLUSION OR LIMITATION OF INCIDENTAL OR CONSEQUENTIAL DAMAGES.



561.19 NUISANCE LIABILITY OF AGRICULTURAL OPERATIONS.

Subdivision 1. **Definitions.** For the purposes of this section, the following terms have the meanings given them:

(a) "Agricultural operation" means a facility and its appurtenances for the production of crops, livestock, poultry, dairy products or poultry products, but not a facility primarily engaged in processing agricultural products.

(b) "Established date of operation" means the date on which the agricultural operation commenced. If the agricultural operation is subsequently expanded or significantly altered, the established date of operation for each expansion or alteration is deemed to be the date of commencement of the expanded or altered operation. As used in this paragraph, "expanded" means an expansion by at least 25 percent in the number of a particular kind of animal or livestock located on an agricultural operation.

"Significantly altered" does not mean:

(1) a transfer of an ownership interest to and held by persons or the spouses of persons related to each other within the third degree of kindred according to the rules of civil law to the person making the transfer so long as at least one of the related persons is actively operating the farm, or to a family farm trust under section 500.24;

(2) temporary cessation or interruption of cropping activities;

(3) adoption of new technologies; or

(4) a change in the crop product produced.

(c) "Generally accepted agricultural practices" means those practices commonly used by other farmers in the county or a contiguous county in which a nuisance claim is asserted.

Subd. 2. **Agricultural operation not a nuisance.** (a) An agricultural operation is not and shall not become a private or public nuisance after two years from its established date of operation as a matter of law if the operation:

(1) is located in an agriculturally zoned area;

(2) complies with the provisions of all applicable federal, state, or county laws, regulations, rules, and ordinances and any permits issued for the agricultural operation; and

(3) operates according to generally accepted agricultural practices.

(b) For a period of two years from its established date of operation, there is a rebuttable presumption that an agricultural operation in compliance with the requirements of paragraph (a), clauses (1) to (3), is not a public or private nuisance.

(c) The provisions of this subdivision do not apply:

(1) to an animal feedlot facility with a swine capacity of 1,000 or more animal units as defined in the rules of the Pollution Control Agency for control of pollution from animal feedlots, or a cattle capacity of 2,500 animals or more;

(2) to any prosecution for the crime of public nuisance as provided in section 609.74 or to an action by a public authority to abate a particular condition which is a public nuisance; or

(3) to any enforcement action brought by a local unit of government related to zoning under chapter 394 or 462.

Subd. 3. **Existing contracts.** This section shall not be construed to invalidate any contracts or commitments made before January 1, 1983.

Subd. 4. **Severability.** If a provision of this section, or application thereof to any person or set of circumstances, is held invalid or unconstitutional, the invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or application. To that end, the provisions of this section are declared to be severable.

Subd. 5. [Repealed, 1983 c 182 s 2]

History: 1982 c 533 s 1; 1983 c 182 s 1; 1994 c 619 s 9,10; 1994 c 622 s 4,5; 2001 c 128 s 4; 2004 c 254 s 43,44



MOWER COUNTY

Public Works / Environmental Services
1105 8th Avenue NE
Austin, Minnesota 55912
Phone: 507-437-7718 Fax: 507-437-7609

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Mower County Planning Commission will assemble on Monday, June 15, 2026, at 5:30 p.m. in the County Commissioner's Room, located in the lower level of the Mower County Government Center, (201 1st Street NE, Austin MN 55912. Enter through the Law Enforcement Center doors), to consider the following Conditional Use Permit application(s) in accordance with Mower County Zoning Ordinance.

CUP #1010 To allow for commercial, state-licensed outdoor cannabis cultivation on a proposed 44.24 - acre parcel described as being in the W1/2 of the NW1/4, Section 19, Twp 103N, Range 17 West, Mower County Minnesota per survey provided by G-Cubed Engineering dated 4/21/2026, by Geoffrey G. Griffin. Application includes 44.24+/-acres of outdoor cannabis cultivation which will operate from March - November: lot will be split into 21 - 1 ½ acre lot, each containing one - 40'x8' shipping container, containers will be utilized post-harvest for activities such as drying, curing, and packaging, plus one 16'x6' shed to be used for security equipment, irrigation components, and agricultural tools. Each lot will have parking for two vehicles and one spot for loading and unloading, each space will be 10ft 20 ft (200 sq ft). 24 -hour security with camera coverage of gates and building entrances including cultivation. Existing well will be used with the addition of a 5-6-inch pump. Existing barn - 90'x48' and house (1569 sq ft) will be used for non-cannabis storage and employee facilities. One entrance off main road, 66ft wide easement on the gravel driveway - water irrigation usage will be under 10,000 gallons per day for the first year after which a well appropriations permit will be applied. Approximately 20,000' of 8' high of deer fencing on the permitter with privacy screen. Section 19, Red Rock Township, Owner is McIntire Feed & Grain, Applicant is Austin Property RE JV LLC

Notice is hereby given that the Mower County Planning Commission will accept public comments on the aforementioned Conditional Use Permit application(s) in person and via teleconference from the County Commissioner's Room during the public hearing. To participate in the meeting via Teams, you may obtain the agenda and meeting link on our website at <https://www.co.mower.mn.us/129/Agendas-Minutes>. Advance written comments can be provided to the Environmental Services office in advance of the public hearing until noon on the day of the public hearing in person or by emailing zoning@co.mower.mn.us.

Notice is hereby given that any recommendations concluded by the Planning Commission shall be forwarded to the Mower County Board of Commissioners for consideration and decision, 6/23/2026 at approximately 9:05 am in the County Commissioner's Room.

The application(s) and accompanying documents are available for review during normal business hours prior to the meeting at the Public Works Office: 1105 8th Ave. NE, Austin, MN or by emailing a request to zoning@co.mower.mn.us

Dated: Thursday, May 28, 2026

BY ORDER OF THE
MOWER COUNTY PLANNING COMMISSION

Angela Lipelt

Mower County Environmental Services Director

DO NOT PRINT – PUBLICATION RECORD ONLY – IN OFFICE USE ONLY

Instructions: Please print in standard font and size, single space, according to the contract held with Mower County. Please send notice of confirmation to aprilg@co.mower.mn.us

Please print in the Legal Notices Section

2026 Legal Publication

Austin Daily Herald

E-Mail Word file to: public.notices@austindailyherald.com

Date to be published: **6/3/2026**

Date Faxed/Emailed to publisher: **5/28/2026**, by April Grabau (507) 437-7718

	Deadlines	
	Wednesday Paper	Saturday Paper
<u>Austin Daily Herald</u>	Thursday @ 4 pm	Tuesday @ 2 pm

2026 Legal Publication

Mower County Independent

E-Mail Word File to: evansppc@mediacombb.net

Contact: Sarah Mensink (507) 324-5325

Date to be published: **6/4/2026**

Date Faxed/Emailed to publisher: **5/28/2026**, by April Grabau (507) 437-7718

	Deadline for Submission	Publication Date
Mower County Independent	Thursday @ 4:00 p.m.	Following Thursday

Affidavit of Mailing

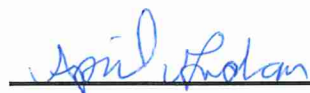
STATE OF MINNESOTA)
 SS)
Mower County)

April Grabau being duly sworn, deposes and says: "I am a United States Citizen, over 21 years of age, and am employed by the Public Works Department of Mower County, Minnesota".

On Monday, June 1, 2026, acting on behalf of the County, I deposited in the United States Post Office or authorized agent thereof at Austin, Minnesota, the attached **Notice of Neighborhood for CUP 1010** enclosed in a sealed envelope, postage thereon fully prepaid, addressed to the following persons at the addresses attached.

Attachments: List of neighboring landowners, township clerks/city clerks

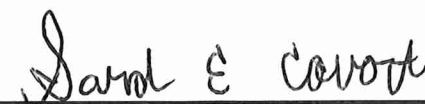
Current Owner Name	Mail Address	Mail Last Line
WATKINS DAVID A & SHARRY	25134 555TH AVE	AUSTIN MN 55912
STATE OF MINNESOTA	500 LAFAYETTE RD	SAINT PAUL MN 55155
SOINEY KEVIN C & NANCY	55860 245TH ST	AUSTIN MN 55912
OOTTS THOMAS E	56217 245TH ST	AUSTIN MN 55912
AKKERMAN JOHN E	55743 245TH ST	AUSTIN MN 55912
SIMONSON DARIN & RENAE	25060 560TH AVE	AUSTIN MN 55912-6610
PASCHKE FERN M	700 1ST DR NW APT 112	AUSTIN MN 55912
SCHMIT TRACY L & HEATHERLY	25126 560TH AVE	AUSTIN MN 55912
NELSON ADAM B	924 4TH ST NE	BYRON MN 55920
MCINTIRE FEED & GRAIN INC	PO BOX 9	STACYVILLE IA 50476
DALE & ILA AKKERMAN JOINT REV TRUST	55947 245TH ST	AUSTIN MN 55912
HULST BARBARA ANN	56333 245TH ST	AUSTIN MN 55912
DREWS HELEN M	921 W G ST	OGALLALA NE 69153
JAX RICHARD	23975 570TH AVE	AUSTIN MN 55912
Red Rock Township	PO Box 85	Brownsdale MN 55918
Lansing Township	PO Box 85	Lansing MN 55950
MN DNR c/o Todd Piepho	50507 Sakatah Lake State Park Rd	Waterville MN 56096
City of Austin - Planning Dept.	500 4th Ave NE	AUSTIN MN 55912



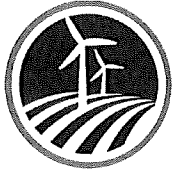
April Grabau
Public Works Department
Mower County, Minnesota

Subscribed and sworn to me on Monday, June 1, 2026, by Sarah Covert.





Notary Public Signature



MOWER COUNTY

Public Works / Environmental Services
1105 8th Avenue NE,
Austin, Minnesota 55912
Phone: (507) 437-7718 Fax: (507) 437-7609

June 1, 2026

RE: June Planning Commission Meeting

To whom it may concern:

Due to an error with advertising and neighbor notification the June 1, 2026 Planning Commission meeting cannot take place.

We will be holding a special session on June 15, 2026 at 5:30 pm as the applicant has a time sensitive project.

Sincerely,

Angela M. Lipelt

Angela M. Lipelt
Mower County Environmental Services Director

cc: file,



Notice of Public Hearing – Conditional Use Permit application

Notice Date	June 1, 2026	
To	Neighboring landowners within one quarter mile of subject property ¹ <i>And also including landowner, applicant, or representative(s) thereof</i>	
From	Angie Lipelt, Mower County Environmental Service Director	
Applicant(s)	Conditional Use Permit request of McIntire Feed and Grain Inc c/o owner(s) and Travis Hermiz on behalf of Austin Property Holdings LLC, as applicant(s)	
Subject Site Location	911 ADDRESS	24826 560 th Ave, Austin MN 55912
	PIN #	16.019.0015
	SEC / TWP	19 Red Rock
	ABVD LEGAL	Section 19 Township 103 Range 017 W450FT S210FT N900FT NW1/4 NW1/4
CUP Request	To allow for commercial, state-licensed outdoor cannabis cultivation Application includes 44.24+/-acres of outdoor cannabis cultivation which will operate from March - November: lot will be split into 21 - 1 ½ acre lot, each containing one – 40'x 8' shipping container, containers will be utilized post-harvest for activities such as drying, curing, and packaging, and one 16'x 6' shed to be used for security equipment, irrigation components, and agricultural tools. Each lot will have parking for two vehicles and one spot for loading and unloading, each space will be 10'x 20' (200 sq ft). 24 -hour security with camera coverage of gates and building entrances including cultivation. Existing well will be used with the addition of a 5-6-inch pump. Existing barn – (90'x48') and house (1569 sq ft) will be used for non-cannabis storage and employee facilities. One entrance off main road, 66ft wide easement on the gravel driveway - water irrigation usage will be under 10,000 gallons per day for the first year after which a well appropriations permit will be applied. Approximately 20,000 feet - 8 feet high on the perimeter of deer fencing with privacy screen.	
Ord. Citation	Mower Co. Cannabis Ordinance 06-24 item 3.2.1 and Zoning Ordinance Section 14-51	
Zoned:	Agricultural	
Public Hearing Date	Monday: 6/15/2026 A public hearing will be held on the above matter before the Mower County Planning Commission	
Time of Hearing	5:30 p.m. – meeting start time	
Location:	Commissioner's Room, lower level, Government Center: 201 1 st St NE, Austin MN 55912. • <u>Enter via the Law Enforcement door.</u> • Take the elevator or stairs to the basement level to access the Commissioner's room.	
Participation options available to any interested person:	Any person with interest in this project has the right to be heard. You may: • attend the hearing in person at the designated time and location. • virtually via Microsoft Teams : the agenda and meeting link on the county's website at: https://www.co.mower.mn.us/129/Agendas-Minutes • Written statements or comments submitted before the hearing must be received by noon on the day of the public hearing by the Environmental Services Office located at 1105 8th Avenue NE, Austin MN 55912	

	- Email comments will be accepted up until noon of the day of the public hearing by emailing your comments to: zoning@co.mower.mn.us *Noon cutoff times allows staff time to make copies of the information provided for the Planning Commission and prepare the submitted information for the public hearing and submit it into record. **All statements/comments, correspondence, including emails become part of the public record, public file and official minutes.
Access to information	You may also make a request to have copies of the application, including any attached documents, staff reports, or other comments received, by contacting: zoning@co.mower.mn.us. You may also review the file documents in person at Mower County Public Works from 7:00 AM to 4:00 PM (excluding holidays) located at 1105 8th Avenue NE, Austin MN 55912.
P/C makes a recommendation to County Board	The County Board of Commissioners is anticipated to consider recommendations of the P/C at the next following Board Meeting, currently scheduled for Tuesday, June 23, 2026 at approximately 9:05 am in the Commissioner's Room, Mower County Government Center; 201 First Street NE, Austin, MN. You are welcome/encouraged to attend this meeting to hear the decision made.
Statutory requirements	You are receiving a copy of this hearing notice as required under MN Statutes Chapter 394 pertaining to conditional use permits. ¹Mower County must provide written notice to owners of record within one-quarter mile (or when adjacent to municipal areas; 500 feet) of the subject property or to the nearest ten (10) property owners to the affected property, whichever provides notice to the greatest number of landowners. Notices must be mailed to adjoining landowners no less than 10 calendar days prior to the public hearing. All applications are subject to the 60-day law, MN Statutes Chapters 15.99. An aggrieved party may appeal a final decision of the County Board through legal process available. Mower County Environmental Services staff and the County Attorney's Office will NOT provide information regarding this process. You may choose to confer with an attorney on your own behalf.

Site Map – included below:

