

**STAFF REPORT**

**January 23, 2024**

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**APPLICATION FOR CONDIITIONAL USE FOR A WATER  
TREATMENT PLANT**

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GENERAL INFORMATION:

PETITIONER	Swanberg Construction, Inc., on behalf of BDM Rural Water System, Inc.
REQUEST	<b>Application for Conditional Use for a water treatment plant</b>
LEGAL DESCRIPTION	E1/2NE1/4NE1/4, Section 9, T127N, R57W
CURRENT & SURROUNDING ZONING	Agricultural (Ag)
REPORTED BY	Erin Collins-Miles

GENERAL COMMENT: Per the Marshall County Zoning Ordinance, a water treatment plant can be permitted under the Conditional Use Section located in TITLE 8, Chapter 8.3. Noting that public utility and public service structures including transmission lines, substations, gas regulator stations, pipelines, community equipment buildings pumping stations and reservoirs is listed under number 15 of Chapter 8.3. Granting of this conditional use would bring the project into compliance with the rules and regulations set forth by Marshall County.

REVIEW: The proposed plant is proposed to be 65x97 in size with 14 and 20-foot sidewalls, according to the building permit. The project would also include 5 wells and a backwash pond. The applicants were instructed to ensure that right-of-way setbacks would need to be followed for all structures included in this project. Zoning Director met with Rod Kappes with BDM and the project engineer via phone; where it was discussed that the structure and reservoir will be more than 60' from the right-of-way, but there will be several wells which will need a variance to right-of-way (scheduled for the February 6<sup>th</sup> meeting). No written comments or objections were received prior to the scheduled hearing.

**NOTICE OF HEARING - APPLICATION FOR CONDITIONAL USE FOR A WATER TREATMENT PLANT**

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on January 23, 2024 at 9:00 a.m. at the Marshall County Courthouse Commissioners Chambers, concerning the following application for a Conditional Use from the Marshall County Zoning Ordinance.

Swanberg Construction, Inc., on behalf of BDM Rural Water System, Inc., has requested a Conditional Use from the Marshall County Zoning Ordinance for a new water treatment plant to be constructed on the property described as the E1/2NE1/4NE1/4, Section 9, T127N, R57W.

Erin Collins-Miles  
Planning & Zoning Administrator

Published once at the approximate cost of

*For publication: December 27, 2023*

1T (Dec 27)  
**NOTICE OF HEARING  
- APPLICATION FOR  
CONDITIONAL USE FOR  
A WATER TREATMENT  
PLANT**

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Erin Collins-Miles, Planning & Zoning Administrator  
Published at an approximate cost of \$7.54 and can be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

\$150

**MARSHALL COUNTY APPLICATION FOR CONDITIONAL USE**

DATE: 12-21-2023

To: **Marshall County Planning and Zoning Commission**  
**PO Box 9**  
**Britton, SD 57430**

The undersigned do hereby request a conditional use from the Marshall County Zoning Ordinance as provided by Article \_\_\_\_\_ Section \_\_\_\_\_ for the purpose of Building a new water treatment plant, with 5 wells and backwash ponds.

Legal Description: E 1/2, NE 1/4, NE 1/4, Sec 9 Township 127N Range 57W

Reason: Building a new water Treatment plant which will include 5 wells and back wash ponds.

Applicant's Name: Swanberg Construction, Inc. Phone: 701-845-6946

Address: PO Box 728, Valley City, ND 58072

Applicant's Signature: [Signature]

Owner's Signature (if different than applicant): Reedney Kapper G.M.

**For Internal Office Use Only:**

Date Received: 12/21/23 Fees (non-refundable): \$150.00 Paid: (YES) NO

Inspection Report: See staff report

Date of Hearing by Planning and Zoning Commission: January 23, 2024

Action taken by Planning and Zoning Commission: \_\_\_\_\_

MARSHALL COUNTY PLANNING & ZONING COMMISSION  
P.O.BOX 9  
BRITTON, SOUTH DAKOTA 57430  
605.448.7540

January 2, 2023

Dear Property Owner,

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As an adjacent landowner, you are being notified of the hearing. If you have any questions, please contact my office. Any comments or concerns should be stated in writing and forwarded to my office or expressed at the scheduled hearing.

Sincerely,

*Erin Collins-Miles*

Erin Collins-Miles  
Planning and Zoning Administrator

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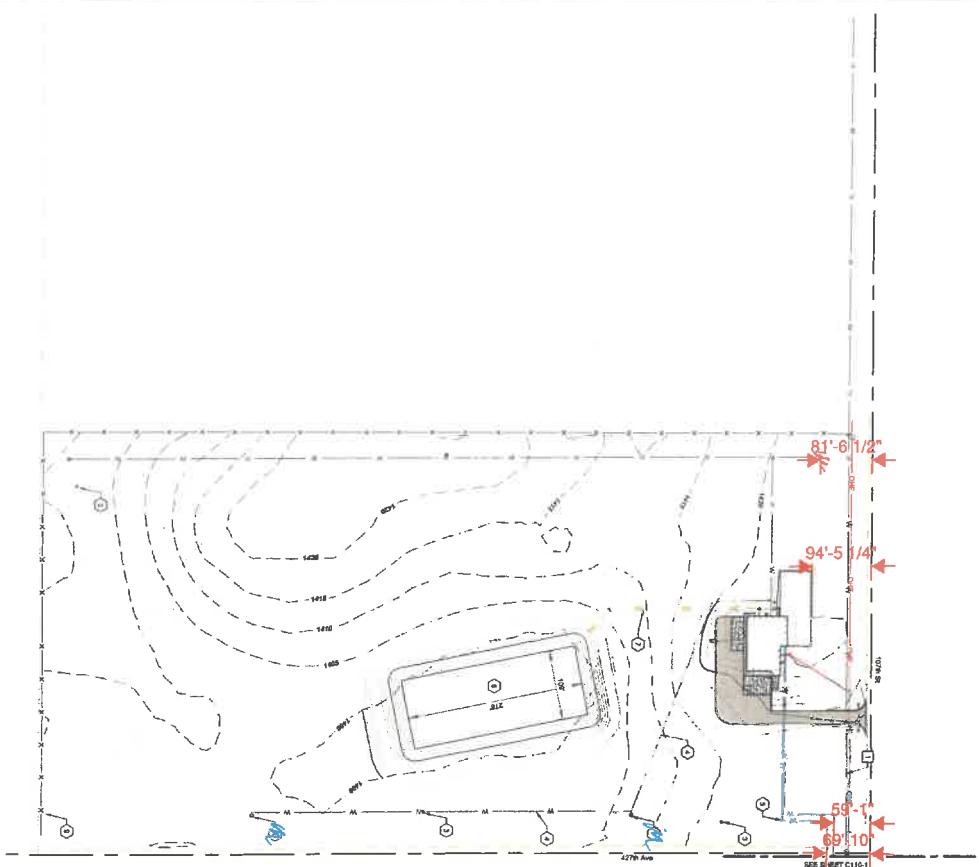
Sincerely,

*Erin Collins-Miles*

Erin Collins-Miles  
Planning and Zoning Administrator

**Sent to the following adjacent landowners on 1/2/24:**

1. Tyrell & Mary Ellestad – 2106 149<sup>th</sup> Ave. NW Andover, MN 55304
2. Dennis & Vicki Didreckson – 42654 108<sup>th</sup> St. Britton, SD 57430
3. Kathryn Buisker – 10126 423<sup>rd</sup> Ave. Britton, SD 57430
4. Michael & Mona Buisker – 42202 101<sup>st</sup> St. Britton, SD 57430



GROUND WATER WELLS			
WELL	NORTHING	EASTING	
WTP-1			
WTP-2	27734.8200	259284.4310	

**COORDINATE SYSTEM:**  
NAD83(11), SOUTH DAKOTA STATE  
PLAINS NORTH ZONE BEOB D 19B,  
US SURVEY FOOT

**VERTICAL DATUM:**  
NATIONAL GEODETIC VERTICAL  
DATUM OF 1988 (NAVD 88)

**WELL FIELD LAYOUT - ALTERNATE BOB**

**BDM RURAL WATER SYSTEM, INC.**  
1001 W. 10TH ST. S.  
SIOUX FALLS, SD 57105  
757.333.2222

**WTP2C107-1**

**REGISTERED PROFESSIONAL ENGINEER**  
ERIC R. LUDSPERGER  
11/22/2023  
15540

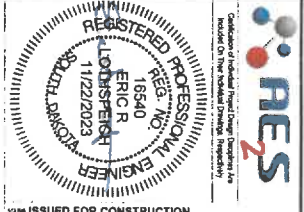
**CONSTRUCTION NOTES**

- WTP-1
- WTP-2
- TEST WELL
- 1" DIAM. 10' DEEP FOR 10' DIAM. WATER PUMP/PIPING
- 1" DIAM. 10' DEEP FOR 10' DIAM. WATER PUMP/PIPING
- 1" DIAM. 10' DEEP FOR 10' DIAM. WATER PUMP/PIPING
- 1" DIAM. 10' DEEP FOR 10' DIAM. WATER PUMP/PIPING
- 1" DIAM. 10' DEEP FOR 10' DIAM. WATER PUMP/PIPING
- CONTROL POINT ELEVATION 1492.7'

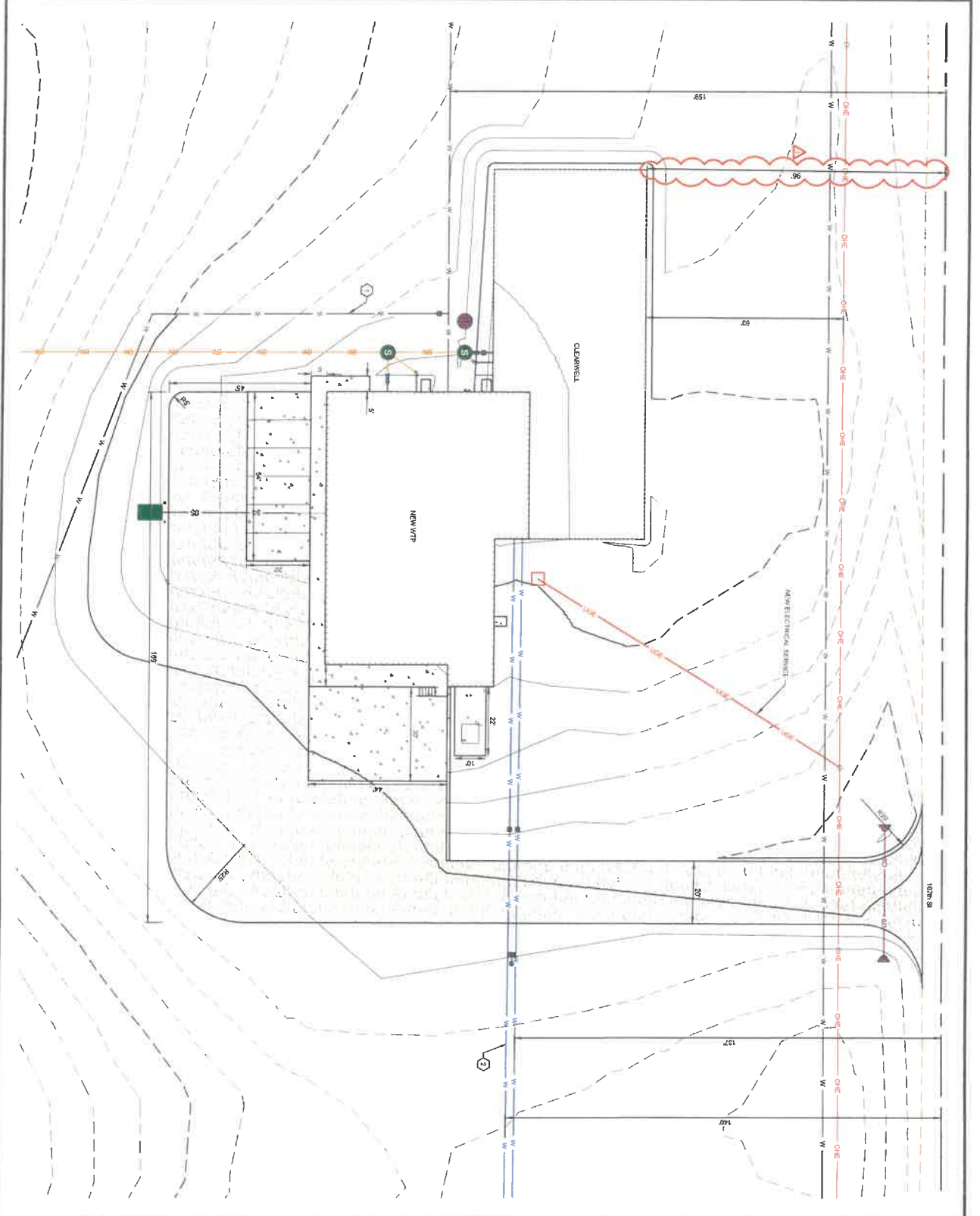
**EXISTING NOTES**

- EXISTING WATER SERVICE LINE

Issued for Construction

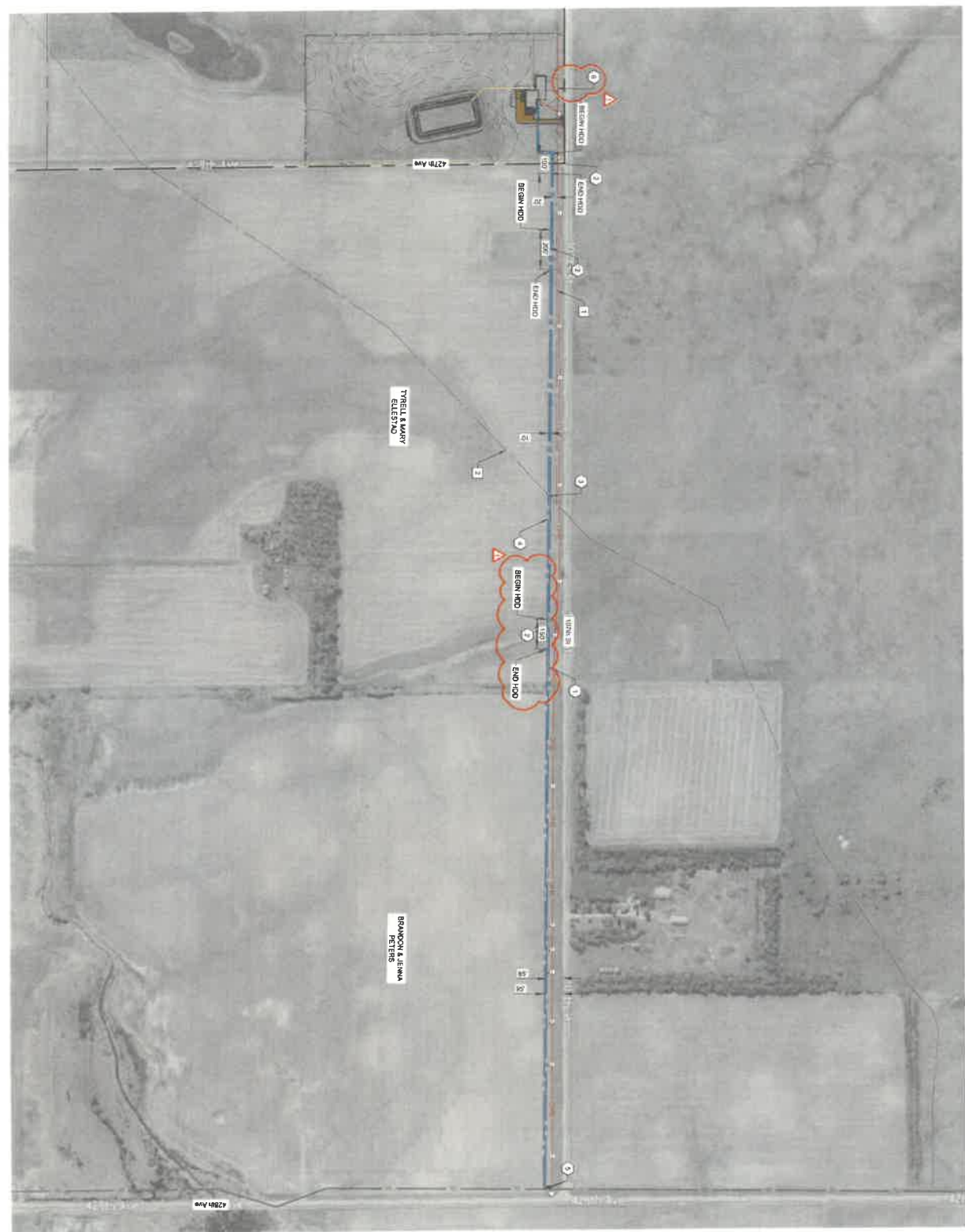






<p><b>CLIENT</b> BDM RURAL WATER SYSTEM, INC. BENTON, SOUTH DAKOTA</p> <p><b>PROJECT NO.</b> BDM-2022-103-1 <b>DATE</b> SEPTEMBER 2022</p> <p><b>PROJECT TITLE</b> WTP2C103-1</p>	<p><b>CONSTRUCTION NOTES</b></p> <ul style="list-style-type: none"> <li>1. 1" HOPE DRILLS 160' 25" WATERMAIN</li> <li>2. 8" HDPE DRILL 200' 25" WATERMAIN</li> </ul>	<p><b>COORDINATE SYSTEM:</b> NAD83(2011), SOUTH DAKOTA STATE PLANES, NORTH ZONE GEOID 12B, US SURVEY FOOT</p> <p><b>VERTICAL DATUM:</b> NATIONAL GEODETIC VERTICAL DATUM OF 1988 (NAVD 88)</p>	<p><b>PROJECT TITLE</b> BDM 2022 NEW WTP IMPROVEMENTS</p> <p style="text-align: center;">Advanced Engineering and Environmental Services, LLC <a href="http://www.ae2s.com">www.ae2s.com</a></p>
<p><b>DATE</b> 11-22-23</p> <p><b>STATUS</b> ISSUED FOR CONSTRUCTION</p>	<p><b>CONFORMED PER ADDENDUM NO. 1</b></p>	<p><b>DATE</b> 11-22-23</p>	<p><b>STATUS</b> ISSUED FOR CONSTRUCTION</p>





**CONSTRUCTION NOTES**

1. HOPE DRILL 3" (6") PSI WATERMAIN
2. HORIZONTAL DIRECTIONAL DRILL 4" HOPE DRILL 2" PSI WATERMAIN
3. CONNECT TO EXISTING WATERMAIN, SEE DETAIL 202M FOR CONNECTION
4. 8" HOPE DRILL 2" (6") PSI WATERMAIN
5. CONNECT TO EXISTING WATERMAIN, SEE DETAIL 202M FOR CONNECTION
6. 8" WATER AVAILABLE THROUGH EXISTING 2" CONNECTION, COORDINATE WITH OWNER

**EXISTING NOTES**

1. EXISTING 2" WATER SERVICE LINE
2. EXISTING 8" WATERMAIN

**COORDINATE SYSTEM:**  
 NAD83(2011), SOUTH DAKOTA STATE PLANES, NORTH ZONE GEOID 72B, US SURVEY FOOT

**VERTICAL DATUM:**  
 NATIONAL GEODETIC VERTICAL DATUM OF 1985 (NAVD 85)

**SHEET TITLE:**  
 FINISHED WATER PIPELINE - ALTERNATE BIDS

**CLIENT:**  
 BDM RURAL WATER SYSTEM, INC.  
 BRITTON, SOUTH DAKOTA

**PROJECT NO:** P2010-2023-002  
**DATE:** 10-16-22  
**DATE:** 10-16-22

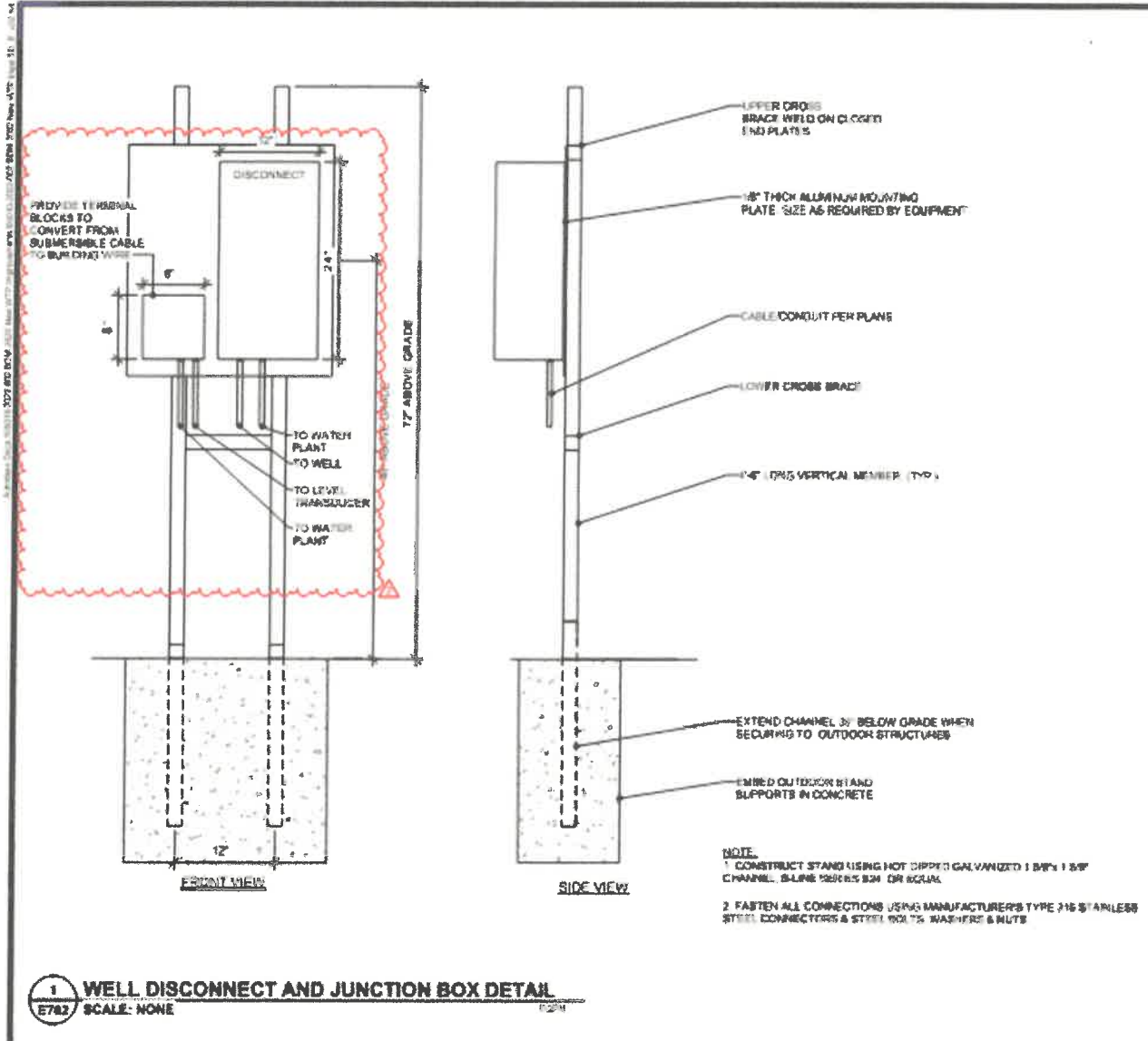
**PROJECT TITLE:**  
 BDM 2022 NEW WTP IMPROVEMENTS

**WTP2C110-1**

DATE: 10-16-22  
 DATE: 10-16-22

# Rod Kappes

**From:** Brian R. Bergantine <Brian.Bergantine@AE2S.com>  
**Sent:** Wednesday, January 17, 2024 2:12 PM  
**To:** Rod Kappes  
**Subject:** Sent from Snipping Tool



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