

CLARK COUNTY  
CONDITIONAL USE/VARIANCE APPLICATION

PERMIT NUMBER \_\_\_\_\_

APPLICANT (PRINT): SD RNG Interconnect, LLC PHONE: (603) 491-2267

ADDRESS: 1 South Jersey Plaza, Folsom, NJ 58037

OWNER (PRINT): Riverview, LLP PHONE: (320) 392-5609

ADDRESS: 26406 470<sup>th</sup> Ave, Morris, MN 56267

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CLARK COUNTY SOUTH DAKOTA, TO ISSUE A CONDITIONAL USE PERMIT OR VARIANCE FOR THE PROPERTY DESCRIBED AS:

**LEGAL DESCRIPTION** (Please print or type): Tract A in Lot 1, Riverview Addition in NE1/4 of Section 3, T115N, R59W of the 5<sup>th</sup> P.M., Clark County South Dakota (Attachment 1).

**GENERAL AREA OR STREET ADDRESS:** 41581 178<sup>th</sup> Street, Raymond, SD 57258

**EXISTING LAND USE:** Ag/Dairy with RNG Digester and Pipeline Connection **EXISTING ZONING:** Agricultural

**SIZE OF PARCEL:** ACRES 4.0 **LOT DIMENSIONS:** WIDTH Attachment 1 LENGTH Attachment 1 DEPTH Attachment 1

**SURROUNDING LAND USE**

**NORTH:** 178<sup>th</sup> Street followed by Tillable Land  
**SOUTH:** Clark Dairy  
**EAST:** Clark RNG Digester and Pipeline Connection  
**WEST:** Clark Dairy

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CONDITIONAL USE PERMIT (attach a separate sheet of paper if necessary)

The Applicant is proposing to add a Renewable Natural Gas (RNG) unloading station to complement their existing RNG facility which features a regional public natural gas pipeline connection (Attachment 2). The RNG unloading station will provide the essential public utility access required for other dairies to sell their RNG. Since the unloading station will serve off-site dairies, a separate Conditional Use Permit (CUP) under Section 2.04.04.13 of the Clark County Zoning Ordinance (Ordinance) will be required. Therefore, a separate parcel was established that meets the area requirements outlined in Section 2.04.05 of the Ordinance. See the attached separate sheet (Page 2) for additional information on the proposed project.

IF YOU ARE SEEKING A VARIANCE PLEASE PROVIDE A BRIEF STATEMENT OF THE VARIANCE DESIRED AND PLEASE STATE THE HARDSHIP REQUIRING RELIEF. (Proof of hardship is on the applicant - Hardship examples are odd size or shape of the lot, unusual topography, etc. attach a separate sheet of paper if necessary)

Not Applicable

SIGNATURE OF APPLICANT Kyle Nolan

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) Brady J

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

- 1. NORTH DIRECTION (**Attachments 1 & 2**)
- 2. PROPOSED STRUCTURE DIMENSIONS (**Attachment 2**)
- 3. STREET NAMES (**Attachments 1 & 2**)
- 4. OTHER INFORMATION AS MAY BE REQUESTED (**Attachments 3-5**)
- 5. LOCATION OF PROPOSED STRUCTURE ON LOT (**Attachment 2**)
- 6. FRONT/SIDE SET BACK DIMENSIONS (**Attachment 2**)
- 7. LOCATION OF ADJACENT EXISTING BUILDINGS (**Attachment 2**)

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

**\*\*PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.**

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: \_\_\_\_\_  
FEE PAID (NON-REFUNDABLE): \_\_\_\_\_ YES \_\_\_\_\_ NO  
DATE OF HEARING: \_\_\_\_\_  
ACTION BY BOARD OF ADJUSTMENT: \_\_\_\_\_

**PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CONDITIONAL USE PERMIT**  
(Continued)

The proposed RNG unloading station will consist of: 1) four Decant Units (7x21 feet) to unload the RNG from trucks and transfer it into the regional pipeline, and 2) a Switchgear Building (30x50 feet) which will house electric switchgear, communications equipment, and an operator station (Attachment 2). The parcel established for this conditional use meets the requirements outlined in Section 2.04.05 of the Ordinance, notably including: 1) required front, side, and back yards, 2) access to the public road, 3) minimum size, and 4) setbacks to existing structures (Attachments 1 and 2). Photographs of a similar existing facility are included in this CUP Application for reference (Attachment 3).

The Applicant is also proposing two special Conditions to regulate traffic associated with both the construction and operation (estimated 8 trucks/day) of the proposed facility.

**Condition #1**

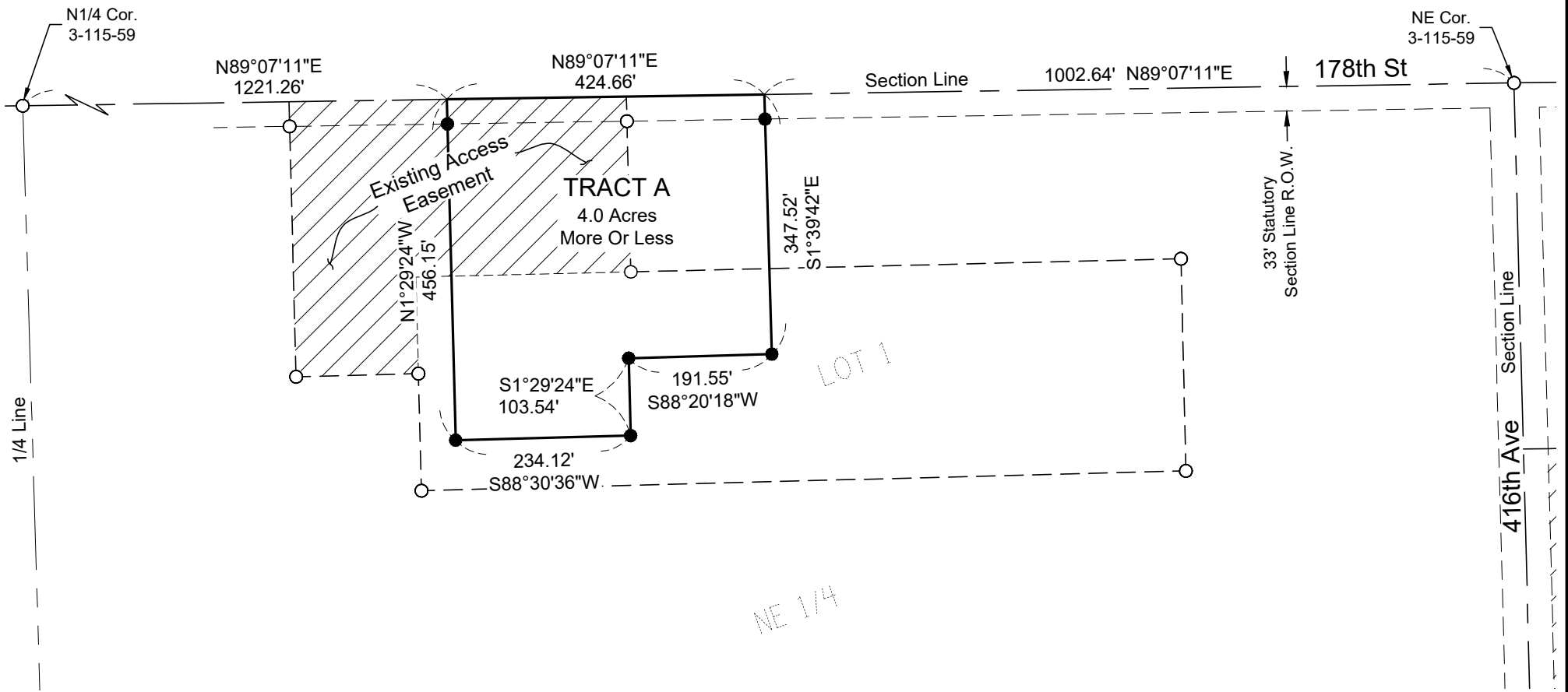
As discussed with the Clark County Highway Engineer, the proposed RNG unloading station will be subject to the in-place Haul Road Agreement between Riverview, LLP and Clark County which designates maintenance responsibilities and a haul route. As requested, a written arrangement between Riverview LLP and the Applicant acknowledging that shared responsibility under the in-place agreement has been provided for this CUP Application (Attachment 4).

**Condition #2**

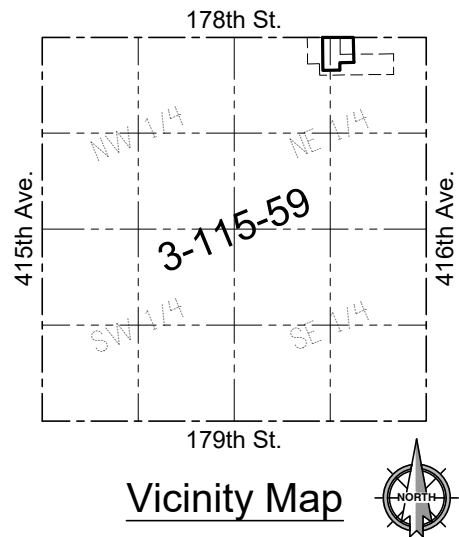
The truck haul route to be used during both the construction and operation of the RNG unloading station will be directed west to County Road 17 as depicted in Attachment 5.

# PLAT OF

## TRACT A IN LOT 1 OF RIVERVIEW ADDITION AND IN THE NE 1/4 OF SECTION 3, T115N, R59W OF THE 5<sup>TH</sup> P.M., CLARK COUNTY, SOUTH DAKOTA



June, 2024  
 Scale: 1" = 200'  
 ○ Monument Recovered  
 ● Monument Set  
 (5/8" x 18" Capped Rebar RLS 10400)  
 Bearings are Based on Assumed Datum



**SURVEYOR'S CERTIFICATE**

I, Andrew E. Kangas, a Registered Land Surveyor of the State of South Dakota, do hereby certify that on or before the 17th day of June, 2024 and at the request of the owner of the real property hereinafter described, surveyed and platted a portion of Lot 1, Riverview Addition in the NE 1/4 of Section 3, Township 115 North, Range 59 West of the 5th P.M. Clark County, South Dakota, as shown on the plat, and marked upon the ground boundaries thereof in the manner shown on the plat, and that the attached plat is a true and correct representation of said survey and that the parcel of land so platted contains plat of: "TRACT A IN LOT 1 OF RIVERVIEW ADDITION AND IN THE NE 1/4 OF SECTION 3, T115N, R59W OF THE 5<sup>TH</sup> P.M., CLARK COUNTY, SOUTH DAKOTA".

IN WITNESS WHEREOF, I have executed this Surveyor's Certificate this 17th day of June, 2024.

Prepared By:



Civil Engineers & Land Surveyors  
 Brookings, South Dakota  
 Ph. 605-696-3200



**OWNER'S CERTIFICATE**

We, Riverview LLP, owners of the tract of land shown in the foregoing plat, hereby certify that we do authorize and do join in, and approve the above survey and plat, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulation. Any land shown in the above plat and designated as a street, road, alley, park or public ground is hereby dedicated to public land use as such forever, but such dedication shall not be construed to be a donation of the fee of such land.

The portion so platted shall hereafter be designated as "**TRACT A IN LOT 1 OF RIVERVIEW ADDITION AND IN THE NE 1/4 OF SECTION 3, T115N, R59W OF THE 5TH P.M., CLARK COUNTY, SOUTH DAKOTA**".

IN WITNESS WHEREOF, We have executed this Owner's Certificate this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
(Authorized Representative)

\_\_\_\_\_  
(Authorized Representative)

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned Notary Public within and for the State and County aforesaid, personally appeared \_\_\_\_\_, who acknowledge themselves to be an Authorized Representative of Riverview LLP and that they, as being authorized to do so, executed the foregoing instrument for the purposes therein contained, and acknowledged to me that they executed the same.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned Notary Public within and for the State and County aforesaid, personally appeared \_\_\_\_\_, who acknowledge themselves to be an Authorized Representative of Riverview LLP and that they, as being authorized to do so, executed the foregoing instrument for the purposes therein contained, and acknowledged to me that they executed the same.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

**RESOLUTION**

It was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, motion carried, the "**TRACT A IN LOT 1 OF RIVERVIEW ADDITION AND IN THE NE 1/4 OF SECTION 3, T115N, R59W OF THE 5TH P.M., CLARK COUNTY, SOUTH DAKOTA**", as described above and hereon be approved and accepted and the Chairman is hereby instructed to endorse on such plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
CHAIRMAN, CLARK COUNTY BOARD  
OF COUNTY COMMISSIONERS

ATTEST:

\_\_\_\_\_  
COUNTY AUDITOR  
CLARK COUNTY, SOUTH DAKOTA

**CERTIFICATE OF COUNTY PLANNING AND ZONING COMMISSION**

Approved by the Clark County Planning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
CHAIRMAN, CLARK COUNTY  
PLANNING AND ZONING COMMISSION

**COUNTY TREASURER'S CERTIFICATE**

I, Treasurer of Clark County, South Dakota, do hereby certify that all taxes which are liens upon any land included in the above (and the foregoing) plats, as shown by the records of my office, have been fully paid.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
TREASURER  
CLARK COUNTY, SOUTH DAKOTA

**DIRECTOR OF EQUALIZATION**

I, Director of Equalization of Clark County, South Dakota, do hereby certify that a copy of the above plat has been filed at my office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
DIRECTOR OF EQUALIZATION  
CLARK COUNTY, SOUTH DAKOTA

**REGISTER OF DEEDS**

STATE OF SOUTH DAKOTA )  
COUNTY OF CLARK ) SS

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, 2024, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in Book \_\_\_\_\_, of Plats on page \_\_\_\_\_.

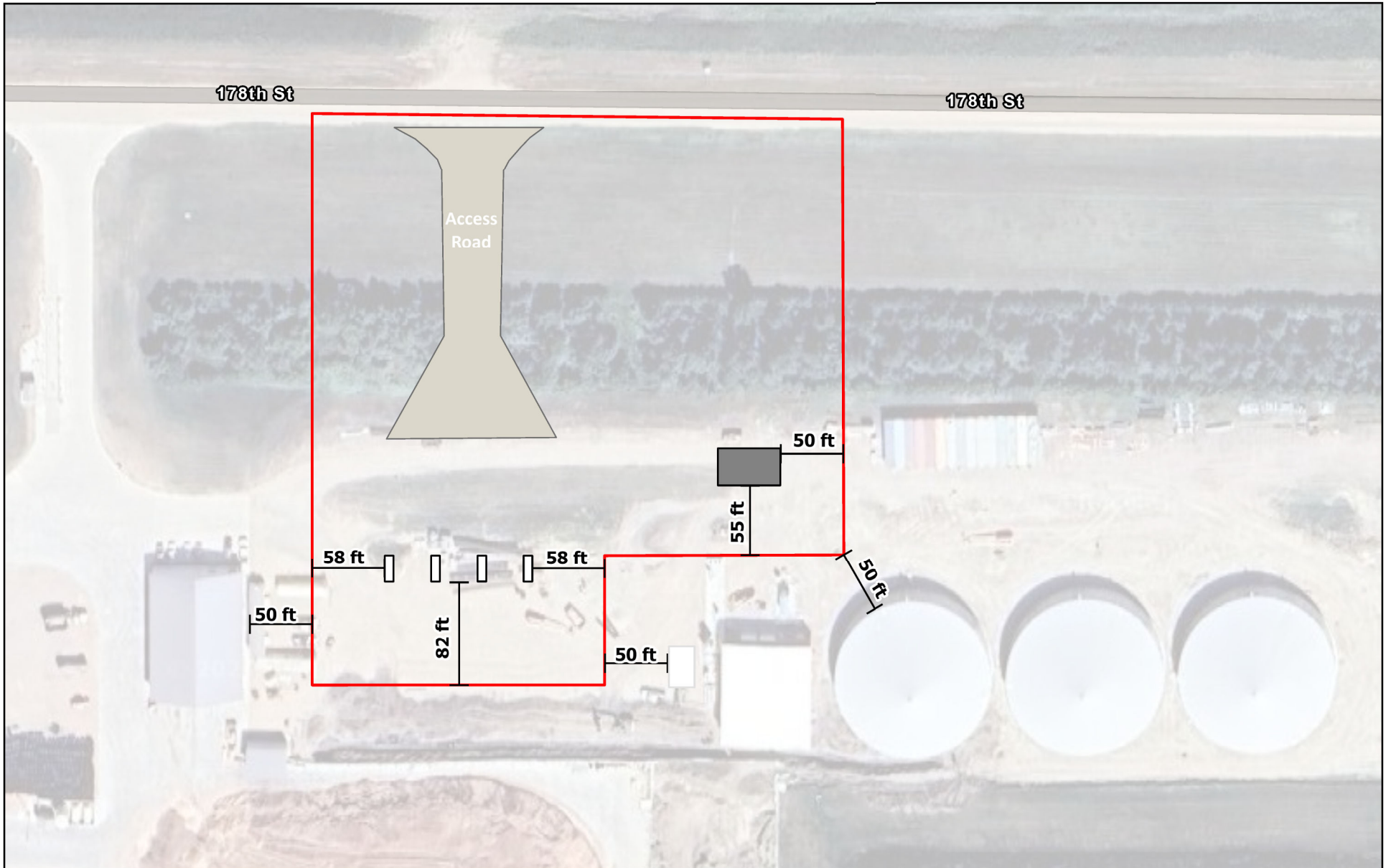
\_\_\_\_\_  
REGISTER OF DEEDS  
CLARK COUNTY, SOUTH DAKOTA



Prepared By:



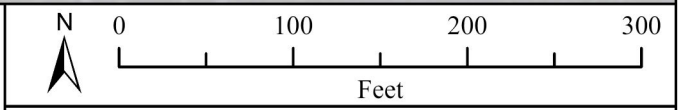
Civil Engineers & Land Surveyors  
Brookings, South Dakota  
Ph. 605-696-3200



**Attachment 2**  
Detailed Site Map

**Clark RNG Interconnect**  
Clark County, SD

- Parcel Boundary (4.0 acres)
- Switchgear Building (30' x 50')
- Decant Units (7' x 21')
- Setbacks



**ENVIRONMENTAL  
SCIENTIFIC**

Attachment 3 - Reference Photographs



Existing RNG Decant Unit for Reference



Existing Switchgear Building for Reference



6/21/2024

Clark County Highway Superintendent  
Attn: Ryan Eggleston  
PO Box 294  
Clark, SD 57225

**RE: Riverview/SD RNG Interconnect, LLC Haul Road Arrangement**

Mr. Eggleston,

SD RNG Interconnect, LLC (Applicant) has submitted a conditional use permit (“CUP”) application for a Renewable Natural Gas (RNG) unloading station on a parcel of property they will lease from Riverview, LLP (“Riverview”), which is located within the East ½ of Section 3, T115N, R59W.

Riverview currently has a CUP and haul road obligations related to its dairy farm located in Section 3.

Riverview and SD RNG Interconnect, LLC are providing this letter to confirm that the latter will have similar haul road obligations pursuant to their CUP—that is: (a) SD RNG Interconnect, LLC shall be responsible for extraordinary maintenance on county gravel roads used for its operations, and (b) SD RNG Interconnect, LLC shall use the same haul route that Riverview uses for daily truck traffic to and from the dairy site.

Since SD RNG Interconnect, LLC and Riverview will be using the same haul route, both parties agree that Riverview will be the primary contact for the County should any questions arise as to who has caused any extraordinary damages to the haul route. The parties shall then resolve the matter privately and address any needed road maintenance appropriately.

Sincerely,

**Riverview, LLP**



By: *Brady Janzen*  
Name: Brady Janzen  
Its: Authorized Partner

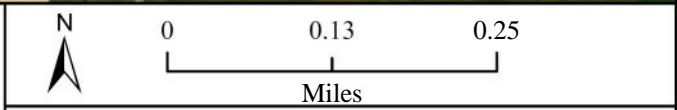
**SD RNG Interconnect, LLC**

By: *Kyle Nolan*  
Name: Kyle Nolan  
Its: VP & COO



**Attachment 5**  
Haul Road Agreement Map  
**Clark RNG Interconnect**  
Clark County, SD

-  Haul Road Agreement Route
-  Unloading Station



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