

**BROWN COUNTY PLANNING & ZONING COMMISSION**  
**October 8<sup>th</sup>, 2013**

The Brown County Planning & Zoning Commission held their regularly scheduled public meeting on October 8, 2013 at 9:00 AM in the Commissioners Room 204 of the Brown County Courthouse. Commission members present: Leo Wilfahrt, Anita Mohr, Loren Renberg, Brian Tohal and Andrew Lochner. Also present: Laine Sletta, Zoning Administrator, Chelsea Hussong, Feedlot Technician, Fritz Busch – The Journal, Charles Tews and Larry Fischer.

The meeting was called to order by Chairman Wilfahrt at 9:00 a.m.

A motion was made by Lochner and seconded by Mohr to approve the minutes of the September 10, 2013 meeting as submitted. The motion passed unanimously.

The **first item of business** was the conditional use permit application #C-00359 by Loren & Yvonne Gag on property described as Part of the SE4, Sec 04 – Twp 109N – R30W, Cottonwood Township, Brown County for the purpose to renew CUP #5861 and to continue to allow use of a 320' high tower to be used in the transmission and receiving of cellular telephone calls in the I-1 Limited Industry Zoning District.

**Discussion:** Sletta provided background on the application and noted there were no comments or concerns from the public. Sletta noted the tower is part of the Verison system and we have had no complaints or calls concerning this application.

**Motion** was made by Tohal and seconded by Lochner **to recommend approval** to the County Board with the following **conditions**:

1. Property owner & tower owner/operator must follow the rules & regulations of all regulatory agencies including but not limited to the Federal Communication Commission.
2. Property Owner must provide current information on the owner of the communication tower. Updates are to be submitted annually and are due by January 15th. Information to include the Name of Contact responsible for complaints & renewals, their address, phone number & email address.
3. If there is a change in ownership of the property OR tower, at any time, the new owners must contact Brown County Planning & Zoning Office to update CUP file. County contact must be made within 30 days of official property/tower transfer.
4. CUP #5861 is null & void.

The motion passed unanimously on a 5-0 vote.

The **second item of business** was a Preliminary Plat application **Preliminary Plat #P-00159** A single lot split by John & Barbara Garrioch known as Garrioch Subdivision, on property described as part of the NE4 of NE4, Sec 23 – Twp 111N – R 33W, Eden Township, Brown County. Property being platted is currently an existing homestead being split off from tillable ground. (See attachments Garrioch)

**Discussion:** Sletta also explained the different building setbacks as they relate to the property lines and that the plat meets the Brown County Zoning Ordinance. Lochner noted that the small, second house on the site has been removed.

**Motion** was made by Lochner and seconded by Tohal **to recommend approval** to the County Board.

The motion passed unanimously on a 5-0 vote.

The **third item of business** was a Preliminary Plat application P-00160

A single lot split by Scott Schimschock known as Schimschock First Subdivision, on property described as part of Gov't Lots 14 & 17, Sec 19 – Twp 110N – R 31W, Milford Township, Brown County. Property being platted is currently an existing homestead being split off from tillable ground.

**Discussion:** Lochner noted this plat is an after-the-fact plat because it has sold already. Sletta noted the driveway should be 33' wide and not 30' and will contact the surveyor. Renberg noted he can see why the lot has an irregular shape; they followed the tree line to preserve the high price of land.

**Motion** was made by Tohal with the condition added that the driveway be 33' wide on the final plat, it was seconded by Lochner **to recommend approval** to the County Board.

The motion passed unanimously on a 5-0 vote.

The **fourth item of business was Conditional Use Permit Application #C-00360: 9:15 AM of Tews Farms Inc.** on property described as part of the N2 Sec 19 – Twp 108N – R 34W, Bashaw Township, Brown County, for the purpose to renew CUP #C-00048 and to continue to allow up to 990 AU (990 head) in a beef finishing operation located in the A-1 Agriculture Protection Zoning District.

**Discussion:** Lochner inquired as to how long the livestock are in the feedlot in regards how the Manure Management Plan is figured. Sletta noted that they are based on a year. Charles Tews noted it is a three year average, so it is pretty close. Renberg asked how the building (monoslope) is working out for Mr. Tews and he responded "great".

**Motion** was made by Renberg and seconded by Lochner **to recommend approval** to the County Board with the following conditions:

1. The feedlot owner/operator must comply with all required State standards and regulations including but not limited to those regulated by MPCA. Manure generated at the facility shall be applied to cropland at agronomic rates consistent with the current Manure Management Plan.
2. Manure application records, soil analysis and manure analysis records shall be retained on file for a period of at least three (3) years and shall be available to the County Planning & Zoning Office upon request.
3. Manure Management Plan must be updated annually, be retained on file for a period of at least three (3) years & shall be available to the County Planning & Zoning Office upon request.
4. Onsite feedlot inspections shall be done to ensure compliance with all State & County standards & requirements.
5. If there is a change of ownership of this site, at any time, the new owner must contact the County Feedlot Officer and provide all necessary information to update CUP file. CFO contact must be made within 30 days of official property transfer.
6. CUP # C-00048 is null & void.

The motion passed unanimously on a 5-0 vote.

The **fifth item of business** was a **Conditional Use Permit Application #C-00363: 9:30 AM** Application of **Larry & Debra Fischer** on property described as part of NW4 Sec 30 – Twp 109N – R 31W, Sigel Township, Brown County, for the purpose to renew CUP #C-00262 and to continue to allow up to 700 AU (700 head) of beef steer in a beef finishing operation all located in the A-1 Agricultural Protection Zoning District..

**Discussion:** Sletta noted that Mr. Fischer had a manure problem earlier this summer and it was mitigated by him in a timely manner. Fischer noted he has been working with an agronomist and is doing a lot more testing of the manure, soil and crops. Larry noted he has learned so much working with him and is applying less manure per acre.

**Motion** was made by Lochner and seconded by Tohal **to recommend approval** to the County Board with the following conditions:

1. The feedlot owner/operator must comply with all required State standards and regulations including but not limited to those regulated by MPCA. Manure generated at the facility shall be applied to cropland at agronomic rates consistent with the current Manure Management Plan.
2. Manure application records, soil analysis and manure analysis records shall be retained on file for a period of at least three (3) years and shall be available to the County Planning & Zoning Office upon request.
3. Manure Management Plan must be updated annually, be retained on file for a period of at least three (3) years & shall be available to the County Planning & Zoning Office upon request.
4. Onsite feedlot inspections shall be done to ensure compliance with all State & County standards & requirements.
5. Manure spilled on the township road shall be cleaned up by the owner immediately.
6. If there is a change of ownership of this site, at any time, the new owner must contact the County Feedlot Officer and provide all necessary information to update CUP file. CFO contact must be made within 30 days of official property transfer.
7. CUP #C-00262 is null and void.

The motion passed unanimously on a 5-0 vote.

The **final item of business** was to set the next meeting of the Planning Commission for Tuesday, November 12, 2013.

There being no further business, a motion was made and seconded to adjourn the meeting.

Respectfully submitted

Laine Sletta  
Zoning Administrator