

BROWN COUNTY PLANNING & ZONING COMMISSION
July 18th 2017

The Brown County Planning & Zoning Commission held their regularly scheduled public meeting on July 18th 2017 at 9:00 am in the Commissioners Room 204 of the Brown County Courthouse. Commission members present: Anita Mohr, Brian Braun, John Rolloff, and Commissioner Dennis Potter. Also present: Charles Enter, County Administrator; Charles Hanson, County Attorney; Laine Sletta, Zoning Administrator; Robert Santaella, Assistant Zoning Administrator. Members of the public present were Al Van Grouw, Jason Krenz, Orin Schultz, Kurt Kratz, Nick Kratz, and Kevin Barnhart.

The meeting was called to order by Vice-Chairman Braun at 9:00 am.

A motion was made by Potter and seconded by Mohr to approve the minutes of the June 17th 2017 meeting. The motion passed unanimously 4-0.

The **first item of business** was a **Conditional Use Permit Application APP-C-0054** by Nick Kratz (On property owned by Kurt Kratz) on the property described as the N ½ of the NE ¼ of Section 6, Township 109 N, Range 34 W, Burnstown Township, Brown County, Minnesota. To renew and amend existing CUP #C-00382 to allow construction of a new 76' X 400' Total Confinement Turkey Barn to hold a maximum of 9,500 Turkeys over 5lbs. (171 AU) for a total of 18,500 Turkeys Over 5lbs.(333 AU) and 10,000 Turkeys Under 5lbs (50 AU) for a total of (383 AU) of Turkeys and a maximum of 750 Head (225 AU) of Finishing Hogs for a site maximum of 608 AU, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application. Braun asked about maximizing use of the brooder barn, Nick Kratz confirmed, Kurt Kratz stated the brooder sits empty for 14 weeks because of the cycle of the birds. Braun asked about the property line, Sletta confirmed the lines will be adjusted accordingly. Kurt Kratz stated this will be done with a survey. Potter asked about the use of the brooder barn, Kurt Kratz stated it will still sit empty for about two weeks

A Finding of Fact was then completed.

Motion was made by Potter and seconded by Mohr **to recommend approval** to the County Board with the following conditions.

1. The feedlot operator must comply with all Minnesota state rules and regulations including MPCA standards and regulations regarding feedlot facility construction and operation, including application of manure generated at the facility to cropland at rates which do not exceed the recommended crop nutrient requirements.
2. A perimeter tile line access port must be maintained within 20 feet down-gradient of the barn(s) in order to allow drawing a tile line water sample for analysis as may be desired in the future.
3. Liquid manure applied to farm fields must be injected into soil, or may be spread on fields with incorporation into the soil within 12 hours of spreading.
4. Field application of liquid manure shall not exceed two (2) times per year. The County Planning and Zoning Office shall be informed prior to any field application of liquid manure in an emergency.
5. Manure application records, soil analysis and manure analysis 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.
6. 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.
7. County Staff shall be provided access to the property to perform onsite inspections as needed to ensure compliance with all rules & regulations set forth for this operation.

8. If there is a change of ownership of this site, at any time, the new owner must contact the County Planning & Zoning Office and provide all necessary information to update CUP file. County contact must be made within 30 days of official property transfer.

The motion passed unanimously on a 4-0 vote.

The **second item of business** was a **Conditional Use Permit Application #APP-C-0056** by Kathleen Hacker on the property described as the S ½ of the NW ¼ and the N ½ of the SW ¼, Section 4, Township 110 N, Range 33 W, Prairieville Township, Brown County, Minnesota. To renew an existing CUP to continue to allow a Maximum of 2,000 Finishing Swine (600 AU) and 25 Head of Finishing Beef Cattle (25 AU) for a site maximum of 625 AU all located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application. Braun asked about concerns, Sletta confirmed no concerns have been raised. Braun asked who was representing Mrs. Hacker, Kevin Barnhart from Schwartz Farms introduced himself and explained they are in a lease agreement to manage the barns. Braun asked if there is a lagoon onsite, Barnhart responded they are all deep pitted barns that the area in question is just a low area and that we didn't know what it is. Potter asked about the lines between the barns, Santaella stated it used to be the property line a couple months ago to make it capable to build a connecting hallway.

A Finding of fact was then completed.

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

1. The feedlot operator must comply with all Minnesota state rules and regulations including MPCA standards and regulations regarding feedlot facility construction and operation, including application of manure generated at the facility to cropland at rates which do not exceed the recommended crop nutrient requirements.
2. A perimeter tile line access port must be maintained within 20 feet down-gradient of the barn(s) in order to allow drawing a tile line water sample for analysis as may be desired in the future.
3. Liquid manure applied to farm fields must be injected into soil, or may be spread on fields with incorporation into the soil within 12 hours of spreading.
4. Field application of liquid manure shall not exceed two (2) times per year. The County Planning and Zoning Office shall be informed prior to any field application of liquid manure in an emergency.
5. Manure application records, soil analysis and manure analysis 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.
6. 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.
7. County Staff shall be provided access to the property to perform onsite inspections as needed to ensure compliance with all rules & regulations set forth for this operation.
8. If there is a change of ownership of this site, at any time, the new owner must contact the County Planning & Zoning Office and provide all necessary information to update CUP file. County contact must be made within 30 days of official property transfer.

The Motion passed unanimously on a 5-0 vote.

The **third item of business** was a **Final Plat Application APP-P-0019** A Single lot combine by Jason Krenz known as Krenz Subdivision (5.72 Acres) in the NE ¼ of the SW ¼, Section 10, Township 109 N, Range 30 W, Cottonwood Township, Brown County, Minnesota. Parcel being platted is an existing platted lot known as Hoffmann's 6th Subdivision that is being resized.

Discussion: Sletta Provided Background on the application. Potter asked about area to the Southwest of the lot, Krenz its part of the old rail bed, nothing there, its apart of his father-in-laws property.

Motion was made by Mohr and seconded by Roloff **to recommend approval** to the County Board

The motion passed unanimously on a 4-0 vote.

The **fourth item of business** was a **Final Plat Application APP-P-0020** A single lot Split by Richard Bruns known as Cumberland First Subdivision (7.15 Acres) in Part of Government Lots 1 and 8, Section 19, Township 109 N, Range 31 W, Sigel Township, Brown County, Minnesota. Parcel being platted is an existing farm site being platted off from the tillable land

Discussion: Sletta provided background on the application.

Motion was made by Mohr and seconded by Roloff **to recommend approval** to the County Board.

The motion passed unanimously on a 4-0 vote.

The **fifth item of business** was **Final Plat Application APP-P-0022** A single lot split by Roger & Sharon Kral known as R & S Kral Subdivision (5.49 Acres) in the NW ¼ of the SW ¼, Section 26, Township 109N, Range 32W, Brown County, Minnesota. Parcel being platted is an existing farm site being platted off from the tillable land

Discussion: Sletta provided background on the application.

Motion: was made by Braun and seconded by Roloff **to recommend approval** to the County Board

The Motion passed unanimously on a 4-0 vote.

The **final item of business** was **Final Plat Application APP-P-0023** A single lot split by Dale Domeier Known as Domeier Ranch (2.5 Acres) in the SE ¼ of the SE ¼, Section 19, Township 109N, Range 32W, Stark Township, Brown County, Minnesota. Parcel being platted is existing tilled ground being platted off for a building site.

Discussion: Sletta provided background.

Motion: was made by Braun and seconded by Mohr **to recommend approval** to the County Board

The Motion passed unanimously on a 4-0 vote.

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

Respectfully submitted
Robert Santaella, Asst. Zoning Administrator