

BROWN COUNTY PLANNING & ZONING COMMISSION
January 14th 2020

The Brown County Planning & Zoning Commission held their regularly scheduled public meeting on January 14th 2020 at 9:00 am in Room 204 of the Brown County Courthouse. Commission members present: John Rolloff, Brian Braun, Commissioner Tony Berg and Dennis Potter. Also present: Robert Santaella, Assistant Zoning Administrator and Sam Hansen, Administrator. Members of the public included: Emily Wegener, Dan Schwartz, Danielle Havemeier, and Mark Miller.

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

A motion was made by Berg and seconded by Rolloff to approve the minutes of the December 10th, 2019 meeting.

The motion passed unanimously 4-0.

The **First item of business** was the election of the Planning and Zoning Commission positions.

For the position of Board Chair, Berg nominated Brian Braun, Seconded by Rolloff. A motion to elect Brian Braun the Chair passed unanimously on a 4-0 Vote.

For the position of Vice-Chair, Braun nominated John Rolloff, Seconded by Berg. A motion to elect John Rolloff as Vice-Chair passed unanimously on a 4-0 vote.

For the position of Secretary, Berg nominated Dennis Potter, Seconded by Rolloff. A motion to elect Anita Mohr as secretary passed unanimously on a 4-0 vote.

The second item was a Conditional Use Permit Application APP-C-0084

Application filed by John Schwartz of Schwartz Family LLC on the property owned by Lindeman & Wells Inc. described as SE ¼ of SE ¼ of the NE ¼ of Section 5, Township 109 North, Range 35 West, North Star Township, Brown County, Minnesota. Application is to amend the existing conditional use permit to allow an increase from the current permitted 1152 animal units (3840 head) to 1200 animal units (4000 head), all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Braun asked if there was any comment on the site, Santaella confirmed no comment on the site. Braun asked the reason for the change in AU, Mark Miller stated they wanted the flexibility to stock to 4,000 head, no addition to the site.

Finding of Fact sheet was completed

Motion was made by Potter and Second by Berg 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 installed & 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.
 9. CUP # C-0022 is Null & Void.

The motion passed unanimously 4-0.

The third item was Conditional Use Permit Application APP-C-0085

Application filed by James Schindele on the property owns by James W & Beverly A Schnidele described as Part of East ½ of Northwest ¼ of the Government Lot 2 of the Northeast ¼ of the Southwest ¼ of the Government Lot 1 of the Northwest ¼, Section 33, Township 112 North, Range 33 West, Eden Township, Brown County, Minnesota. Application is to continue to allow use of existing gravel mine to include gravel screening and processing all located in the A-1 Agriculture Protection Zoning District.

Discussion: Santaella provided background on the application. Braun stated he called Dennis Wildt Eden Twp and said mine was limited use, not a lot of activity. Braun stated site is ¼ mile from a tar road, so dust shouldn't be huge concern. Potter stated this is an isolated site, not a lot of homes nearby.

Finding of Fact was completed.

A motion was made by Potter and seconded by Berg to recommend approval to the County Board with the following conditions:

1. The owner/operator must comply with all applicable state rules & regulations, obtain & keep in good standing all required permits & shall submit copies of like to Brown County Planning & Zoning Office.
2. The CUP is effective for a period of three (3) years from the date of issuance, if there is a change in ownership of this site, at any time, the new owner must apply for a new CUP.
3. CUP # C-0028 is null & void.

The motion passed unanimously 4-0.

The fourth item a Preliminary Plat Application APP-P-0060

Application filed by Jeff Juni on the property owned by Jeffery D & Ellen Juni known as Juni Fifth Subdivision (43.53 acres) on the property described as Juni 4th Subdivision, Section 4 and part of Lot 20 of the South ½ of the SE ¼ & part of the NW ¼ of the NE ¼ Section 9, Township 110 North, Range 31 West, all in Milford Township, Brown County, Minnesota. Application is to add strip of land on west side of Juni Fourth subdivision for Utility Lines.

Discussion: Santaella provided background. Braun asked if they owned the property to the west, Santaella confirmed. Potter stated gives them more room for utilities.

A motion was made by Berg and seconded by Potter to recommend approval to the County Board
The motion passed unanimously 4-0.

The fifth item of business was a Preliminary Plat Application APP-P-0058

Application filed by Wyane Shellum on the property owned by Shellum Family Trust known as Shellum Subdivision (5.38 acres) on the property described as part of the SE ¼ Section 25, Township 108N, Range 32 West, all in Albin Township, Brown County, Minnesota. Application is to split building site from the tillable acres, all located in the A-1Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Potter stated they are just plotting off building site.

A motion was made by Potter and seconded by Berg to recommend approval to the County Board.

The motion passed unanimously 4-0.

The final item of business was a Preliminary Plat Application APP-P-0059

Application filed by John Bauer on the property owned by John Bauer know as Bauer Subdivision (6.88acres), on the property described as part of the SE ¼ Section 7, Township 108 North, Range 30 West, all in Linden Township , Brown County, Minnesota. Application is to split building site from the tillable acres, all located in the Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Potter noted the driveway east line is at an angle, Santaella noted landowner is the same for both sides and if anything the map line is off a little bit.

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

Motion passed unanimously.

Respectfully submitted,

Robert Santaella, Assistant Zoning Administrator