

BROWN COUNTY PLANNING & ZONING COMMISSION
May 12th 2020

The Brown County Planning & Zoning Commission held a virtual conference call via WebEx platform at the regular scheduled public meeting date and time on May 12th 2020 at 9:00 am . Planning Commission members present: John Rolloff, Brian Braun, Dennis Potter, Joseph Stadheim, and Commissioner Tony Berg. Also present: Laine Sletta, Zoning Administrator; Robert Santaella. Assistant Zoning Administrator; Sam Hansen, Administrator; Charles Hanson, County Attorney; and Andy Meyer Environmental Specialist. Members of the public included: David Tracy, Nate Fredrickson, and Trent Fredrickson.

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

A motion was made by Potter and seconded by Berg to approve the minutes of the April 14th, 2020 meeting.

The motion passed unanimously 5-0.

The first item of business was a Conditional Use Permit Application APP-C-0097

Application filed by Brian Aschenbrenner on property owned by Brian & Teresa Aschenbrenner described as the Balance of Government Lot 1 South of the Little Cottonwood River & Balance of the E ½ of NE ¼ , Section 32, Township 109N, Range 32 West , Stark Township, Brown County, Minnesota. Application is to continue to allow use of existing gravel mining operation to include pit run, screening, crushing and possible hot mix asphalt plant, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application, stated no comment or feedback was received by the planning and zoning office. Braun asked how long the mine has been active, Sletta stated 9 years. Potter stated dust doesn't appear to be an issue with the site due to location, Sletta stated it isn't a very active site.

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

1. The owner/operator must comply with all applicable state rules and 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-2017-0052 is null & void.

The motion passed unanimously 5-0.

The second item of business was a Conditional Use Permit Application APP-C-0098

Application filed by Adam Barka of Christensen Farms on property owned by Christensen Farms & Feedlots described as part of the SW ¼ of the SE ¼, Section 35, Township 109North, Range 33 West, Leavenworth Township, Brown County, Minnesota. Application is to continue to allow the use of a 624 AU (2080 head) existing hog finishing operation all in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application, stated no comment or opposition to the application. Braun asked about any issues with the site in the past, Sletta stated no. Braun stated the site is located nicely.

Finding of Fact was completed.

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

1. The feedlot operator must comply with 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 twenty (20) feet down-gradient of the barns in order to allow drawing a tile line water sample for water 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 twelve (12) hours of spreading.
4. Field application of liquid manure from barns with 12 months storage capacity shall not exceed two (2) times per year. The County Planning & Zoning Office shall be informed prior to any field application of liquid manure in an emergency which would require application in excess of two (2) times per year.
5. Manure application records and any soil or 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.
6. Manure must be injected or incorporated into soil within 1000' from residence in the NE4 of Section 3 of Mulligan Township and 1000' from residence in the NE4 of Section 25 of Leavenworth Township.
7. CUP #C-00236 is null & void.

The motion passed unanimously 5-0.

The third item of business was a Conditional Use Permit Application APP-C- 0099

Application filed by Adam Barks of Christensen Farms on property owned by Christensen Farms & Feedlots described as part of the NW ¼ of the SW ¼, Section 11, Township 109North, Range 34 West, Burnstown Township, Brown County, Minnesota. Application is to continue to allow the use of a 624 AU (2080head) existing hog finishing operation in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application, stated no comment or opposition to the site. Braun asked how long site has been in existence, Sletta stated atleast 10 years. Potter stated he is familiar with the site, looks like a nice site, never heard any complaints. Berg asked about location to Boise lake, any additional requirements. Stadheim stated lake is about 2700' from barn.

Finding of Fact was completed.

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

1. The feedlot operator must comply with 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 twenty (20) feet down-gradient of the barns in order to allow drawing a tile line water sample for water 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 twelve (12) hours of spreading.
4. Field application of liquid manure from barns with 12 months storage capacity shall not exceed two (2) times per year. The County Planning & Zoning Office shall be informed prior to any field application of liquid manure in an emergency which would require application in excess of two (2) times per year.

5. Manure application records and any soil or 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.
6. CUP #C-00245 is null & void.

The motion passed unanimously 5-0.

The fourth item of business was a Conditional Use Permit Application APP-C-0100

Application filed by Adam Barka of Christensen Farms on property owned by Christensen Farms & Feedlots described as part of the SW 14/ of the NE ¼ , Section 36, Township 108North, Range 31West, Lake Hanska Township, Brown County, Minnesota. Application is to continue to allow the use of a 624 AU (2080 head) existing hog finishing operation all in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application. Braun asked how long the site has been in existence, Sletta stated at least 10 years.

Finding of Fact was completed.

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

1. The feedlot operator must comply with 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 twenty (20) feet down-gradient of the barns in order to allow drawing a tile line water sample for water 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 twelve (12) hours of spreading.
4. Field application of liquid manure from barns with 12 months storage capacity shall not exceed two (2) times per year. The County Planning & Zoning Office shall be informed prior to any field application of liquid manure in an emergency which would require application in excess of two (2) times per year.
5. Manure application records and any soil or 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.
6. CUP #C-00243 is null & void.

The motion passed unanimously 5-0.

The fifth item of business was a Conditional Use Permit Application APP-C- 0101

Application filed by Trent Frederickson of Frederickson Farms on property owned by Trent Frederickson described as the NE ¼ of the SE ¼, Section 25, Township 108N, Range 32 West, Albin Township, Brown County, Minnesota. Application is to renew and amend existing CUP to allow for an increase of 900 AU for a total of 1800 AU (6000 head) wean to finish swine operation all located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application. Braun noted the Nate Frederickson site on the map and asked where Trent's site is, Trent Frederickson stated he lives south of St. James. Braun asked how long the site has been in existence, Trent Frederickson stated 10 years. Trent Frederickson noted there is no additional information he can add other than what was in the application.

Finding of Fact sheet was completed.

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

1. The feedlot operator must comply with MPCA standards and regulations regarding feedlot facility operation, including application of manure generated at the facility to cropland at rates which so not exceed the recommended crop nutrient requirements.
2. A perimeter tile line access port must be maintained within twenty (20) feet down gradient of each barn in order to allow drawing a tile line water sample for water 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 when feasible within twelve hours of spreading.
4. Field application of liquid manure shall not exceed two (2) times per year. The County Planning & Zoning Office shall be informed prior to any field application of liquid manure in an emergency which would require application in excess of two (2) times per year.
5. Manure application records and any soil or 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.

CUP C-2009-00221 is null & void.

The motion passed unanimously 5-0.

The sixth item of business was a Conditional Use Permit Application APP-C-0102

Application filed by Corey Huiras on property owned by Corey Huiras described as part of the SW ¼ of the SW ¼, Section 17, Township 110North, Range 33 West, Prairieville Township, Brown County, Minnesota. Application is to continue to allow the use of a 936 AU (3120 head) existing hog finishing operation all in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Braun asked about any issues with the site, Santaella stated Planning and Zoning didn't have any. Braun asked when the site was build, Huiras stated in 2006.

Finding of Fact sheet was completed.

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

1. The feedlot operator must comply with 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 twenty (20) feet down-gradient of the barns in order to allow drawing a tile line water sample for water 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 twelve (12) hours of spreading.
4. Field application of liquid manure from barns with 12 months storage capacity shall not exceed two (2) times per year. The County Planning & Zoning Office shall be informed prior to any field application of liquid manure in an emergency which would require application in excess of two (2) times per year.
5. Manure application records and any soil or 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.
6. CUP #C-00218 is null & void.

The motion passed unanimously 5-0.

The seventh item of business was a Conditional Use Permit Application APP-C-0104

Application filed by David Tracy of ATC Iris I LLC on property owned by Joyce E Wiese described as the N ½ of the NW ¼, Section 35, Township 108 North, Range 34 West, Bashaw Township, Brown County, Minnesota. Application is to

continue to allow the use of existing 250 foot cellular tower and a 12x14 equipment shelter to be used by Rural Cellular Communications/Unicel all in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Braun asked if Tracy wanted to add anything, Tracy stated the tower had been in existence 10 years, AT&T tower, the tower meets all federal requirements, is inspected and maintained regularly and had an inspection last year. Potter asked if the tower fell would it hit anything, Tracy stated all buildings are out of the fall zone, 400' from closest property line and road.

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

1. Petitioner must follow rules and regulations of all regulatory agencies included but not limited to the Federal Communications Commission (FCC).
2. CUP # C-00246 is null & void.

The motion passed unanimously 5-0.

Other Business Items

The eighth item of business was a Final Plat Application APP-P-0063

Application filed by Sharon Stern on the property owned by Sharon Stern known as Stern Second Subdivision (2.74 Acres) on the property described as SE 780' X 740' of the SE ¼ of the SW ¼, Section 24, Township 109 North, Range 35 West, all in North Star Township, Brown County, Minnesota. Application is to split existing building site off from the tillable, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application, noted no changes from preliminary review. Potter stated the site is close to him, square site.

A motion was made by Potter and seconded by Berg to recommend approval to the County Board
The motion passed unanimously 5-0.

The ninth item of business was Final Plat Application APP-P-0064

Application filed by Rebecca Cselovszki on the property owned by Janos & Rebecca Cselovszki known as Cselovszki Subdivision (6.62 Acres) on the property described as Lot B-2 of the SE ¼ of the SE ¼ and Lot C-1 & B-1 of the SE ¼ of the SE ¼, Section 18, Township 110 North, Range 32 West, all in Home Township, Brown County, Minnesota. Application is to redefining of the Lot lines, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Braun asked about bump out in the back area, Sletta stated that it is for the horse corral area.

A motion was made by Berg and seconded by Stadheim to recommend approval to the County Board
The motion passed unanimously 5-0.

The tenth item of business was a Preliminary Plat Application APP-P-0065

Application filed by Randy Braulick on the property owned by Randall & Patricia Braulick and Daniel A Ibberson Etal Braulick South Subdivision (2.66 Acres) on the property described as Lot a of the NE ¼ of the SW ¼ and E ½ of the SW ¼ excluding E20 Acres & excluding Lot A of the NE ¼ of the SW ¼, Section 32, Township 111 North, Range 32 West, all in Home Township, Brown County, Minnesota. Application is to add additional land on to the south side of building site, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Potter stated this squares it up. Braun asked about fence being on the property line, Santaella stated there is no issue with it being on the property line.

A motion was made by Potter and seconded by Stanham to recommend approval to the County Board
The motion passed unanimously 5-0.

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

Respectfully submitted,
Robert Santaella, Assistant Zoning Administrator