

BROWN COUNTY PLANNING & ZONING COMMISSION
August 11, 2020

The Brown County Planning & Zoning Commission held a regularly scheduled public meeting at Brown County Courthouse Room #204 on August 11th 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; Dan Kalk, Assistant County Attorney. Members of the public included: Gary Roiger, Patricia Roiger, Pat Vogel, Tim Miller, Leah Reiner, Randy Baier, Dustin Houschild, Rich Groebner, Ron Groebner, Charmain Bast, and Jeff Veerkamp.

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

A motion was made by Stadheim and seconded by Berg to approve the minutes of the June 9th, 2020 meeting.

The motion passed unanimously 5-0.

The first item of business was a Conditional Use Permit Application APP-C-0105

Application file by Timothy Miller of TJ Turkeys LLP on property owned by TJ Turkeys described as part of Sublot A of Government Lot B, all in Section 11, Township 108 North, Range 31 West, Lake Hanska Township, Brown County, Minnesota. Application is to continue to renew and amend an existing Conditional Use Permit to allow 1124AU from the previously permitted 1,022 AU (77,000 Turkeys) in a brooder and finishing operation all located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application. Braun asked about the animal unit totals changing, Miller stated they changed the operation to hold more light hens rather than just toms, increasing the overall head count. Braun asked about issues in the past and when it started, Sletta noted no changes, Miller stated the original operation begin in 1987. Braun asked about more truck traffic, Miller stated there would actually be less because total pounds produced will be less than before.

Finding of Fact was completed

A motion was made by Rolloff 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. Dead turkeys are to be composted or incinerated. In an emergency situation, dead turkeys may be buried on site and must be covered with earth the day of disposal unless frozen soil conditions exist, at which time dead turkeys must be stored in a nuisance-free manner until soil conditions allow proper burial.
3. 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.
4. CUP # C-00260 is null and void.

The motion passed unanimously 5-0.

The second item of business was a Conditional Use Permit Application APP-C-0106

Application filed by Leah Reiner of Reiner Farms LLC on property owned by John & Lisa Reiner and Leah Reiner described as part of the NW ¼ of the NW ¼ of the SW ¼ and W 1250' of the N 710' of the NW ¼ of the SW ¼, except the NW ¼ of the NW ¼ of the SW ¼, all in Section 10, Township 108 North, Range 34 West,

Bashaw Township, Brown County, Minnesota. Application is to amend an existing Conditional Use Permit to allow construction of a new 300' X 235' X 12' deep earthen manure storage basin and an increase from 304.5 AU to 437 AU in a dairy operation and to continue to allow use of an existing 90' X 180' X 8' deep earthen manure storage basin, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application. Braun asked how often manure is applied, Reiner stated currently they apply twice per year and with the expansion they will apply once per year.

Finding of Fact 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-00310 is null and void.

The third item of business was a Conditional Use Permit Application APP-C-0107

Application filed by Jeanne Schaefer of Hoffman Construction on property owned by JMLP Inc. described as property located in the SE ¼ of the SE ¼, all in Section 34, Township 110 North, Range 32 West, Home Township, Brown County, Minnesota. Application is to renew and continue to allow use of property as a demolition landfill site compliant with MPCA rules for disposal of demolition & earthen material, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application. Sletta stated no comments received regarding the site. Braun asked when the demolition landfill began, Sletta stated sometime in the 1990's.

Finding of Fact completed

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

1. The demolition landfill owner and operator must comply with Minnesota Pollution Control Agency standards and regulations for the facility.
2. On days when demolition waste is being accepted at the site, the demolition landfill operator must operate a magnet over the quarter mile of township road between County Road #10 and the demolition landfill entrance.
3. The CUP is effective for a five (5) year period from the date of issuance. If there is a change of ownership at any time the new owner must apply for a new CUP.
4. CUP # C-00257 is null & void.

The motion passed unanimously 5-0.

The fourth item of business was a Preliminary Plat Application APP-P-0066

Application filed by Lee Bowman on the property owned by Floyd Bowman known as Bowman Estates (5.3 acres) on the property described as part of the N ½ of the NE ¼, Section 13, Township 108 North, Range 34 West, all in Bashaw Township, Brown county, Minnesota. Application is to split existing building site off from tillable land, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application. Braun noted the land to the South will retain road access from 340th ave. Brian asked what the hashed line was, Santaella stated it is the outline of the current building 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 fifth item of business was a Preliminary Plat Application APP-P-0067

Application filed by Scott Haala on the property owned by Scott Haala known as Haala's Twelfth Subdivision (5.25 acres) on the property described as part of the Lot N of the SW ¼ described as beginning at the SE corner of Lot 5 Block 5 Haala's 3rd addition; then S00 E, Section 32, Township 110 North, Range 32 West, all in Home Township, Brown County, Minnesota. Application is to split existing building site off from tillable land, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application.

A motion was made by Stadheim and seconded by Rolloff to recommend approval to the County Board.

The motion passed unanimously 5-0

The sixth item of business was a Preliminary Plat Application APP-P-0068

Application filed by Nick Stadick on the property owned by Michael & Tamara Stadick known as Stadick Second Subdivision (6.36 acres) on the property described as part of the NE ¼, Section 7, Township 109 North, Range 30 West, all in Cottonwood Township, Brown County, Minnesota. Application is to split the existing building site off from the tillable land, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application.

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

The motion passed unanimously 5-0

The final item of business was a Preliminary Plat Application APP-P-0070

Application filed by Rhonda Mickelson on the property owned by Steven Marks ETAL known as Marks Subdivision (2.85 acres) on the property described as part of the SW ¼ of the NW ¼, Section 23, Township 109 North, Range 34 West, all in the Burnstown Township, Brown County, Minnesota. Application is to split of existing building site off from the tillable land, all located in the A-1 Agricultural Protection Zoning District

Discussion: Sletta provided background on the application. Sletta noted everything north and east of the proposed parcel is in CREP.

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

The motion passed unanimously 5-0

There was a discussion had about the North Star Gravel Mine driving plan. The concerns brought forward from the public related to the extra expense incurred by the extra driving, longer waiting of idling equipment, and wear on trucks. There were safety concerns brought forward with visibility issues for trucks entering US Highway 14, concern about the extra cost added to tax payers for public road construction. Staff brought up the conditions are very difficult to enforce. The township raised concerns about changing the driving plan in the future, they know it's not perfect but it's taken a long time to get it this far. The planning commission appreciated everyone's concerns brought forward and will consider these issues as it comes time for renewal on the mine permit.

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

Respectfully submitted,
Robert Santaella, Assistant Zoning Administrator