

**BROWN COUNTY PLANNING & ZONING COMMISSION**  
**March 8<sup>th</sup> 2022**

The Brown County Planning & Zoning Commission held a regularly scheduled public meeting at Brown County Commissioners Room on March 8<sup>th</sup> 2022 at 9:00 am . Planning Commission members present: Brian Braun, Dennis Potter, Lisa Fischer, Joe Stadheim, and Commissioner Tony Berg. Also present: Sam Hansen, County Administrator; Laine Sletta, Zoning Administrator; Charles Hanson, County Attorney; and Robert Santaella. Assistant Zoning Administrator. Members of public included: Tim Herzog, Sandra Wacek, Randy Lax, Landon Berle and Leslie Johnson.

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

The Minutes from February 8<sup>th</sup> 2022 were reviewed. A motion to approve was made by Stadheim and Seconded by Potter. Motion carried 5-0 on a unanimous vote.

**The first item of business was a Conditional Use Permit Application APP-C-0143**

Application filed by Andrew Lang of the Brown County Highway Department on property owned by Brown County described as Lot M of the NW ¼ of the NE ¼, of Section 3, Township 109 North, Range 32 West, Stark Township, Brown County, Minnesota. Application is to renew an existing Conditional Use permit to continue to allow the use of an existing gravel mine to include gravel screening, processing, and hot mix plant, all located in the A-1 Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Tim Herzog stated he has concerns with trucks from the mines in the area, especially from the hot-mix plants with lack of stopping at the stop sign, no adequate dust control, and dirt from the road that gets on to Country Road 10, causing a hazard. Landon Berle agreed with these issues. Braun stated that members of the public should reach out to Planning and Zoning staff or the sheriff's office with these concerns and that staff would remind the gravel mines in the area of these issues.

Finding of Fact sheet was completed.

Motion was made by Stadheim and Seconded by Berg to recommend approval to the County Board with conditions listed in the packet. Motion was passed 5-0 on a unanimous vote.

**The second item of business was a Conditional Use Permit Application APP-C-0144**

Application filed by Scott Ryan MacNeil of American Tower Corporation on property owned by Russell & Lois Stueber described as S 50 Acre of the NE ¼ , of Section 20, Township 110 North, Range 31 West , Milford Township, Brown County, Minnesota. Application is to renew an existing Conditional Use Permit to continue to allow the use of a 200' guyed tower to be used as a communications facility & to maintain construct, repair & operate said communication facility inclusive of uses incidental thereto, in the A-1 Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Santaella stated this was a renewal application and no public comment had been received.

Finding of Fact sheet was completed.

Motion was made by Potter and Seconded by Fischer to recommend approval to the County Board with conditions listed in the packet. Motion was passed 5-0 on a unanimous vote.

**The third item of business was a public hearing for proposed Zoning Ordinance Revisions**

**Discussion:** Santaella provided the background on the ordinance revisions, no public comment had been received prior to the meeting. There had been no changes from the prior review at the Planning Commission or the County Board. Santaella asked for questions from the Board, none were received. Braun asked for questions from the public, none were received.

Motion was made by Stadheim and Seconded by Potter to recommend approval of ordinance revisions to the County Board. Motion was passed 5-0 on a unanimous vote

**The fourth item of business was a Conditional Use Permit Application APP-C-0145**

Application filed by Scott Ryan MacNeil of American Tower Corporation on property owned by Michael Richert described as the part of the SE ¼, of Section 31, Township 110 North, Range 33 West, Prairieville Township, Brown County, Minnesota. Application is to renew an existing Conditional Use Permit to continue to allow the use of a 300' guyed tower to be used as a communications facility & to maintain construct, repair & operate said communication facility inclusive of uses incidental thereto, in the A-1 Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Santaella stated this was a renewal and the only comment received was from MnDOT that they had no comment on the application.

Finding of Fact sheet was completed.

Motion was made by Berg and Seconded by Stadheim to recommend approval to the County Board with conditions listed in the packet. Motion was passed 5-0 on a unanimous vote.

**The fifth item of business was a Conditional Use Permit Application APP-C-0146**

Application filed by Scott Ryan MacNeil of American Tower Corporation on property owned by Harlyn S Hanson described as the part of the SW ¼ of the NW ¼, of Section 21, Township 108 North, Range 30 West, Linden Township, Brown County, Minnesota. Application is to renew an existing Conditional Use Permit to continue to allow the use of a 320' guyed tower to be used as a communications facility & to maintain construct, repair & operate said communication facility inclusive of uses incidental thereto, in the A-1 Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Santaella stated this was a renewal application and no comment was received.

Finding of Fact sheet was completed.

Motion was made by Potter and Seconded by Stadheim to recommend approval to the County Board with conditions listed in the packet. Motion was passed 5-0 on a unanimous vote.

**The sixth item of business was a Conditional Use Permit Application APP-C-0147**

Application filed by Sandra Wacek of Winter Creek Farms Inc on property owned by Winter Creek Farms, Inc. described as part of the SE ¼ of Section 20, Township 109 North, Range 35 West, North Star Township, Brown County, Minnesota. Application is to renew and amend an existing Conditional Use Permit to allow an expansion from the current 1106 AU to 1213.5 AU in a turkey operation, all located in the A-1 Agricultural Protection Zoning District

**Discussion:** Santaella provided background on the application. Braun noted that no changes to the buildings will occur, Wacek noted the change is to reflect how the barns are currently run and for maximum capacity on the site.

Finding of Fact sheet was completed.

Motion was made by Berg and Seconded by Potter to recommend approval to the County Board with conditions listed in the packet. Motion was passed 5-0 on a unanimous vote.

**The seventh item of business was a Conditional Use Permit Application APP-C-0148**

Application filed by Sandra Wacek of Winter Creek Farms Inc on property owned by Winter Creek Farms, Inc. described as part of the SE ¼ of Section 20, Township 109 North, Range 35 West, North Star Township, Brown County, Minnesota. Application is to renew and amend an existing Conditional Use Permit to allow an expansion from the current 1106 AU to 1213.5 AU in a turkey operation, all located in the A-1 Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Braun asked about increase in animal units, Wacek confirmed it was the same as the previous application.

Finding of Fact sheet was completed.

Motion was made by Stadheim and Seconded by Potter to recommend approval to the County Board with conditions listed in the packet. Motion was passed 5-0 on a unanimous vote.

**The eighth item of business was a Conditional Use Permit Application APP-C-0149**

Application filed by Randy Lax on property owned by Randy & Diane Lax described as SW ¼ of the SE ¼ of Section 15, Township 109 North, Range 33 West, Leavenworth Township, Brown County, Minnesota. Application is to renew an existing Conditional Use Permit to continue to allow a feedlot of 588 AU beef steer and dairy calves operation, all located in the A-1 Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Lax stated there are no changes to this operation. Braun asked how long the site has been in operation, Lax stated they have owned since 1992.

Finding of Fact sheet was completed.

Motion was made by Berg and Seconded by Fischer to recommend approval to the County Board with conditions listed in the packet. Motion was passed 5-0 on a unanimous vote.

**The ninth item of business was a Final Plat Application APP-P-0097**

Application filed by Lorin Helget on the property owned by Cecilia D Zwaschka know as Zwaschka 3<sup>rd</sup> Subdivision (8.09 Acres) on the property described as Lot 1, Block 1, Zwaschka 2<sup>nd</sup> Subdivision Section 25 ,Township 108 North, Range 33 West,all in Mulligan Township, Brown County, Minnesota. Application is the expansion of Lot 1, Block 1, Zwaschka 2<sup>nd</sup> Subdivision, all located in the Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Santaella noted this was the same property that was subdivided last year and they were adding additional land to the east to the building site.

Motion was made by Stadheim and Seconded by Berg to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

**The tenth item of business was a preliminary Plat Application APP-P-0098**

Application filed by Douglas Koehler on the property owned by Douglas Koehler known as Koehler Second Subdivision Lot 1 (5.02 acres) and Lot 2 (3.28 Acres) on the property described as part of the SE ¼ of the SW ¼ , Section 22, Township 108 North , Range 30 West , all in Linden Township, Brown County, Minnesota. Application is to re-subdivide and to adjust current parcels lines, all located in A-1 Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Santaella noted the big change was the property line following the drainage ditch. Stadheim said it makes sense the proposal.

Motion was made by Fischer and Seconded by Potter to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

**The eleventh item of business was a preliminary Plat Application APP-P-0099**

Application filed by Landen Berle on the property owned by Leslie Johnson known as Berle and Johnson Subdivision Lot 1 (3.21 acres) and Lot 2 (4.02 acres) on the property described as Lot 3, Block 1, Galvin's 2<sup>nd</sup> Subdivision, Section 3, Township 109 North, Range 32 West, all in Stark Township, Brown County, Minnesota. Application is to split the existing platted lot into 2 new platted lots, all located in A-1 Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Santaella noted this is a multi-lot plat so it gets public noticed, no comment was received.

Motion was made by Berg and Seconded by Fischer to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

**The twelfth item of business was a preliminary Plat Application APP-P-0100**

Application filed by Donald Hirsch on the property owned by Donald Hirsch known as Hirsch 2<sup>nd</sup> Subdivision (2.74 acres) on the property described as part of Lot 1 of the NW ¼ of the SW ¼, Section 25, Township 110 North, Range 33 West, all in Prairieville Township, Brown County, Minnesota. Application is to split off stock pile area from tillable ground, all located in A-1 Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Santaella noted that it may be irregular but those lines of the parcel are already existing, the new lines are regular and it preserves the most farmland.

Motion was made by Fischer and Seconded by Berg to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

**The final item of business was a preliminary Plat Application APP-P-0101**

Application filed by Eric Pierson on the property owned by Eric M & Jennifer L Pierson known as Pierson Subdivision (3.75 acres) on the property described as part of the SW ¼ of the SE ¼, Section 18, Township 108 North, Range 31 West, all in Lake Hanska Township, Brown County, Minnesota. Application is to split off the residential part of the building site from the agricultural building site, all located in the A-1 Agricultural Protection Zoning District.

**Discussion:** Santaella provided background on the application. Santaella noted that this split has more to do with financing, noting that in the preliminary diagram it has listed a location for a new house and septic.

Motion was made by Berg and Seconded by Potter to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

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

Motion passed unanimously.

Respectfully submitted,

Robert Santaella, Assistant Zoning Administrator