

## **MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENT MEETING**

**TUESDAY, MAY 13, 2014**

**, 7:00 P.M., COMMISSIONER ROOMS, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MINNESOTA**

**MEMBERS PRESENT:** Steen, Ludeman, Chalmers, Sturrock, DeCock

**OTHERS PRESENT:** Ritter, Biren, Zimmer, and Olson

**ABSENT:** Goodenow

Ludeman opened the meeting at 7:00 p.m.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**IDENTIFY ANY CONFLICT OF INTEREST.** None.

**AMEND/APPROVE AGENDA.** DeCock motioned, seconded by Sturrock to approve the agenda. All voted in favor, motion carried.

**CORRECT/APPROVE MINUTES FROM THE MARCH 10<sup>th</sup> and APRIL 14<sup>th</sup> SPECIAL MEETINGS.** Sturrock motioned, seconded by Steen to approve the minutes as presented. All voted in favor, motion carried.

**PLANNING COMMISSION:**

**CONDITIONAL USE PERMIT:**

Public Hearing, Steve and Nathan Williams have applied for a conditional use permit to construct a new cattle barn on an existing feedlot site. The new barn is to be approximately 65'x 230' with a below the barn concrete manure pit. The property is located on the East half of the Northeast Quarter of Section Seven (7) in Coon Creek Township, all located in Lyon County, MN. The property is zoned Agricultural.

Biren explains that a mono-slope cattle barn has already been permitted and is operating on the site. There is an abandoned farm site across the road from the proposed barn. The zoning ordinance requires a dwelling to be inhabited within the past five years, which the abandoned site does not meet, therefore it is not considered a dwelling. The next closest neighbor to the proposed barn is Nathan Williams. The odor offset model from the nearest neighbor is 99%.

Both Steve and Nathan Williams were present to discuss their proposed project. Sturrock asks what the current and proposed animal numbers are. Nathan Williams explains they currently are registered for 390 animal units and are expanding by 600 animal units for a total of 990 animal units. Biren received a call from the Coon Creek Township Board who had heard no issues on the proposal but the Township did not meet to discuss the expansion. Nathan Williams explains that the new barn will house roughly 500 animal units and the existing mono-slope would hold about 300 animal units, all cattle.

Ludeman moves to finding of facts. Chalmers asks about access to the site. Steve Williams says that the existing access will be used for the facility. Motion made by Chalmers, Seconded by Steen to recommend the permit be granted by the County Board. All in favor, motion carries.

Public Hearing, John Wambeke has applied for a conditional use permit to construct a new confinement barn on an existing feedlot site. The new barn is to be approximately 51' x 192' with an 8' below the ground concrete manure pit. The site is located on the East half of the Southeast Quarter of Section Twenty-two (22) of Eidsvold Township, all located in Lyon County, MN. The property is zoned agricultural.

John Wambeke was present. Biren explains that there are multiple barns holding hogs currently on the site. The proposed barn is to be constructed to the north of the current total confinement barn and will hold 1200 head of finishing hogs. There are two neighbors within 1850 feet of the barn. The odor offset model indicates a 96% rating, which meets the setback requirements for the ordinance.

The barn will increase the permitted livestock on the site by 360 animal units. This is a gap site, where the State counts finishing hogs as 0.3 animal units per hog and the Federal Government counts finishing hogs as 0.4 animal units per hog. Under this "bubble," the applicant can either pursue State or Federal permitting. John Wambeke has elected to go with State permitting for the site.

Ludeman opens the discussion to public comment. No comments were received from Eidsvold Township. Ludeman moves to finding of facts. Chalmers asks if the road to the east is a Township Road. Wambeke states that is a township road, but there is a service road used for handling. Motion made by Sturrock, Seconded by DeCock to recommend the permit be granted by the County Board. All in favor, motion carries.

Public Hearing, BoVanDe Inc. %Greg Boerboom has applied for a conditional use permit to construct a new confinement barn on an existing feedlot site. The new barn is to be

approximately 50' x 84' with an 8' below the ground concrete manure pit. The site is located on part of the Southwest Quarter of Section Twenty-nine (29) of Lake Marshall Township, all located in Lyon County, MN. The property is zoned agricultural.

Greg Boerboom and Joe VanOverbeke were present and representing BoVanDe Inc. Biren explains that the current site has 2, 1200 head hog finishing barns and an existing hog nursery site. There are some neighbors nearby the proposed barn. The odor offset model produced a 94% odor annoyance free rating, which meets the setback distances of the ordinance.

The proposed barn will have 1200 head of nursery hogs which count for 0.05 animal units per hog. This results in a 60 animal unit increase, to a total of 840 animal units. The barn will be connected as an addition to the existing nursery site. Biren states that the comment sheet sent to Lake Marshall Township was sent back with "Agreed" circled. Ludeman opens the discussion for public comment. No public comment heard. Ludeman moves to the finding of facts. Motion made by Steen, Seconded by Chalmers to recommend the permit be granted by the County Board. All in favor, motion carries.

Sturrock begins discussion on streamlining the conditions for conditional use permit motions. The repetition of the lengthy conditions for each site is not necessary. Sturrock reaches out for input from Zimmer and Biren to determine if this can be done. Staff is directed to look into shortening the conditions.

Motion by Sturrock, Seconded by Chalmers to adjourn at 7:45pm. All in favor, motion carries.

Respectfully submitted,

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Planning and Zoning/Board of Adjustments

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Luke Olson, Lyon County Planning & Zoning