

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

**TUESDAY JUNE 14, 2016– 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, (LAW ENFORCEMENT CENTER) MARSHALL, MN.**

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

**OTHERS PRESENT:** Anderson, Ritter, Biren, Springstead

**ABSENT:** None

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

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**IDENTIFY ANY CONFLICT OF INTEREST:** Anderson will abstain from conversation in the Boerboom/Vandendriesche CUP.

**AMEND/APPROVE AGENDA:** Steen moved, seconded by Ludeman to approve agenda as presented. All in favor, motion carried.

**CORRECT/APPROVE MINUTES:** Williams moved, seconded by DeCock to approve minutes as presented. All in favor, motion carried.

**BOARD OF ADJUSTMENT: None**

### **PLANNING COMMISSION:**

A Conditional Use Permit Request has been received by the Lyon County Planning and Zoning Administrator from Mike Boerboom, operator and Donald Vandendriessche, property owner, 2640 190<sup>th</sup> St, Marshall, MN to construct a 2400 head finishing hog barn. The land is zoned agricultural and described as follows:

Part of the East half of the Southwest quarter (E ½ SW ¼) of Section Fifteen (15), in Township One Hundred Ten (110) North of Range Forty-one (41) West of the Fifth Principal Meridian, Lyon County Minnesota (Sodus Township), Lyon County, Marshall, Minnesota.

Mike Boerboom and Donald Vandendriessche were both present.

*Public comment* – Biren reads letter from Darlene Greeley expresses concern regarding biofilters, roadway maintenance, and dead animal handling. Michael Lenertz expresses concerns regarding road maintenance, water service, grove maintenance, and runoff to the watercourse from spills. Jim Buysse also concerned about runoff to watercourse.

Boerboom comments that biofilters will not be used, traffic from site will be east on 190<sup>th</sup> to State Highway 59, spills will be handled through the emergency response plan, MPCA manure management plan submitted with application, dead animals will be rendered and pick up twice a week. A well will provide water service for barn and if insufficient, rural water will be pursued.

Robert Draper had concerns regarding adequate acres for manure spreading, requiring daylight manure hauling and field application, whether or not this will be a phasing project with multiple barns, road weight limits, hydrogen sulfide emissions. Cindy Friesen had concerns regarding timing of manure application, whether this is a phasing project, and how the Planning Commission weighs their decision.

Boerboom explains that the barn will be mechanically tunnel ventilated using fans. The odor has significantly decrease from barns based on improved diets, the barn ventilation, and pit additives.

*Township* – Sodus Township provided support for the project.

Chalmers facilitated the Finding of Facts. The applicants agree to minor road improvements if necessary along with grove maintenance. DeCock expresses disinterest for added condition of manure hauling and application to daylight hours. Ludeman moved, seconded by Steen to recommend the County Board grant the Conditional Use Permit for Mike Boerboom and Donald Vandendriessche.

VOTING FOR: Chalmers, DeCock, Williams, Steen, Ludeman

OPPOSED:

ABSTAINED:

ABSENT:

A Conditional Use Permit Request has been received by the Lyon County Planning and Zoning Administrator from Ryan Viaene, 3175 320<sup>th</sup> St, Cottonwood, MN to process sand and gravel. The land is zoned agricultural and described as follows:

Part of the Southeast Quarter of the Northeast Quarter (S 1/4 NE1/4) and that part of the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) of Section Sixteen (16), Township One hundred twelve (112) North, Range Forty (40) West, Lyon County, Marshall, Minnesota.

Ryan Viaene was present.

*Public Comments*- none

*Township*- no comments received

Chalmers facilitated the Finding of Facts. Viaene explains the sand and gravel will be used mainly for the solar project and 15-20,000 yard of estimated gravel/sand to be taken. Viaene plans to keep the pit open and then restore into grass. A private haul road north to 320<sup>th</sup> St and then west to Co Rd 9 will be the haul route. Steen moved, seconded by Ludeman to recommend the County Board grant the Conditional Use Permit for Ryan Viaene.

VOTING FOR: Chalmers, DeCock, Williams, Steen, Ludeman

OPPOSED:

ABSTAINED:

ABSENT:

**Adjourn:** Ludeman moved, second by Steen to adjourn meeting, motion passed unanimously.

Respectfully submitted,

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Planning and Zoning/ Jon Chalmers  
Board of Adjustments

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Luke Olson, Lyon County Planning &  
Zoning