

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

**Tuesday, April 10, 2018 – 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN.**

**MEMBERS PRESENT:** DeCock, Steen, VanOverbeke

**OTHERS PRESENT:** Crowley, Ritter, Biren, Springstead, Cauwels

**ABSENT:** Williams

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

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**IDENTIFY ANY CONFLICT OF INTEREST:** None

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

**MINUTES:** Steen moved, seconded by VanOverbeke to approve minutes as presented. All in favor, motion carried.

### **BOARD OF ADJUSTMENTS:**

- A VARIANCE REQUEST has been received by the Lyon County Planning and Zoning Administrator by Tom Neyens, 2299 120<sup>th</sup> Ave., Russell, MN, Property address is 1165 220<sup>th</sup> Street, Russell, MN to construct a swine structure, 100'x72'x16', 60 feet from the road right of way. The required setback is 100 feet from the road right of way. This request represents a 40-foot variance. The land is zoned Agricultural and is described as:  
**8.03 ACRES M OR L PT GOV'T LOTS 1 & 2 Part of Northeast Quarter (NE4) OF East Half (E2) (500' X 700') of Section Six (6), Township One Hundred Ten (110) North, Range Forty-Three (43) West Coon Creek Township all located in Lyon County, Minnesota.**

**Public Comment:** No objections

**Township Comment:** No issues from Township.

Tom Neyens was present. Proposed Hog Barn was introduced to the Board. The proposed Hog Barn does not require a Conditional Use Permit as it is under the 300 animal unit threshold.

Neyens discussed the proposed Hog Barn and would like to place it where identified as there is a hog pit that is close to where the structure will be. The hog pit will not be used for this structure.

DeCock moves into the Findings of Fact. All findings are answered Yes on the Variance.

Steen makes a motion and to approve the Variance with stipulations. VanOverbeke seconded motion. All in favor, motion carries

### **PLANNING COMMISSION:**

- A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Ben Ludeman, Porkpass, LLC, 1608 310<sup>th</sup> Ave, Tracy, Minnesota, Property address is 1435 310th Ave., Tracy, Minnesota, for a Conditional Use Permit request for a feedlot expansion and to hear public comment to fulfill Minnesota Session Law 2000 – Minn. Stat. § 116.07, subd 7 (I), to construct or expand a feedlot with a capacity of 300 animal units or more. Odor OFFSET setback requirement is 94%. Minimum setback for a new feedlot is 1320'. The land is zoned agricultural and described as following:

**The Southeast Quarter (SE4) And East Half of The Southwest Quarter (E2 SW4) Of Section Eight (8), Township One Hundred Nine (109) North, Range Forty (40) West, Monroe Township, Lyon County, Minnesota.**

**Public Comment:** Hillerin concerns with travel roads for feed.

**Township comment:** Township called and will observe road for damage.

Ben Ludeman, owner, was present. Biren explains the location and project information. The proposed barn is a 60'x 240' confinement barn with 8' below-the –barn concrete manure pit. The barn will house over 1000 animal units and will be submitted to MPCA for permitting.

Crowley asks what kind of water is on the site. There are two wells that will be used. Ludeman stated that the 100' setback from the wells for the proposed site will be used.

Lori Hillerin, neighboring property owner, stated that from the initial barn that she was assured that there was only going to be one barn constructed. Gravel roads adjacent to property are being used to supply feed to the barn. Hillerin explains that the trucks that are being used are tearing up the road and making it near impassable, especially in the Spring. Odor has not been a problem.

Ludeman discussed the manure application and does not go past the Hillerin site. He also addressed the condition of the road and that it definitely an issue. The township will need to make improvements to the road. Hillerin requested that they take a different route to the barn for feed. Ludeman will not be constructing until approximately August. Ludeman will work with Township to see if road improvements are possible. Biren stated that he will meet with the Monroe Township to do a road travel to see what improvements need to be made.

Findings of Fact was introduced by DeCock. All findings are answered Yes on the Conditional Use Permit.

VanOverbeke moved, seconded by Steen to recommend the County Board grant the Conditional Use Permit for Ben Ludeman, Porkpass, LLC. All in favor, motion carries.

- A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Dale, Julie and Joshua Wieme, 2832 110<sup>th</sup> Street, Tyler, MN, Property address is 1364 110<sup>th</sup> Street, Ruthton, MN, for a Conditional Use Permit request for a new feedlot and to hear public comment to fulfill Minnesota Session Law 2000 – Minn. Stat. 116.07, subd 7(l). Odor OFFSET setback requirement is 94 %. Minimum setback for a new feedlot is 1320'. The land is zoned agricultural and described as following:  
**W 1/2 SE 1/4 & SE 1/4 SW 1/4, Section Twenty-Eight (28) Shelburne Township (T109N R43W) Lyon County, Minnesota.**

**Public Comment:** None was received.

**Township comment:** No objections from Township.

Site was originally set up as a dairy farm. Has not been used for at least 4 years. Request is being set up as a new feedlot. Odor offset model has been met.

Joshua Wieme, owner, was present. Biren explains the location and project information. The proposed barn is a 164' x 121' confinement barn with 8' below-the –barn concrete manure pit. Rural water will be used and back up with a cistern.

Biren explains that the feedlot permit will be issued by Lyon County and a more detailed Manure Plan will be required at that time. Manure will be applied on 120 acres owned by landowner and also on neighboring property.

Dale Wieme, stated that he has sold the parcel to Joshua and his wife.

DeCock entered into Findings of Fact. All findings are answered Yes on the Conditional Use Permit.

Steen moved, seconded by VanOverbeke to recommend the County Board grant the Conditional Use Permit for Dale, Julie and Joshua Wieme. All in favor, motion carries.

**Adjourn:** Steen moved, second by VanOverbeke to adjourn meeting. All in favor, motion carried.

Respectfully submitted,

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Bernie DeCock, Planning Commission/  
Board of Adjustments Vice-Chair

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Anita Cauwels, Lyon County Planning &  
Zoning