

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

Tuesday, February 12 – 7:00 P.M., COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN.

MEMBERS PRESENT: DeCock, Steen, VanOverbeke, Louwagie, Williams

OTHERS PRESENT: Crowley, Ritter, Springstead, Biren

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

PLEDGE OF ALLEGIANCE TO THE FLAG

IDENTIFY ANY CONFLICT OF INTEREST: None identified.

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

ELECTION OF OFFICERS

Williams made a nomination for DeCock to serve as chair, Steen moved, second by VanOverbeke to cast a unanimous ballot for DeCock as Chair for 2019. All in favor, motion carried.

DeCock made a nomination for Steen to serve as vice chair DeCock moved, second by Williams to cast a unanimous ballot for Steen as Vice Chair for 2019. All in favor, motion carried.

MINUTES FROM November 2018: Steen moved, seconded by Williams to approve minutes as presented. All in favor, motion carried.

BOARD OF ADJUSTMENTS: None-

PLANNING COMMISSION

A request has been made to the Lyon County Planning and Zoning Administrator by Guy Jeremiason - South Farm, 1224 County Road 10, Minneota, MN 56264, Property address of request is 1249 340th Street. Minneota MN 56264, 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 (l), to construct or expand a feedlot with a capacity of 300 animal units or more. Odor OFFSET setback requirement is 94%.

The land is zoned agricultural and described as following:

Part of the Northeast Quarter (NE ¼), Section 5, Nordland Township, Lyon County Minnesota, as recorded in Document Number 125729 in the Lyon County Recorder’s Office, Marshall, Minnesota

The Proposed Facility to Consist of:

(New) Swine over 300 lbs. (475 x .4 animal factor)	=	190 Animal Units
(Existing) Swine over 300 lbs. 3850 x .4 animal factor)	=	1540 Animal Units
(Total of expansions)	=	1730 Animal Units

Types of Building (dimensions are approximates):

(New) 101’x194’ Swine Confinement Barn with 10’ deep below barn concrete manure pit

(Existing) 40’x400’ Swine Confinement Barn with 20’x38’x 8’ below barn concrete pull plug manure pit

(Existing) 88'x380' Swine Confinement Barn with 6.7'x55'x6' below barn concrete pull plug manure pit
(Existing) 80'x408' Swine Confinement Barn with 45'x380'x10' below barn concrete pull plug manure pit
(Existing) 40'x220' Swine Confinement Barn with 2'x20'x8' (3) below barn concrete pull plug manure pit
(Existing) 50'x80' Swine Confinement Barn with 20'x80'x8' below barn concrete pull plug manure pit
(Existing) 60'x210' Swine Confinement Barn with 40'x210'x6' below barn concrete pull plug manure pit
(Existing) 100'x150'x6' earthen manure storage basin
(Existing) 10'x10' concrete mortality area

Manure will be applied at agronomical rates up to two times a year. Manure, which is transferred, will adhere to the Manure Management Plan (MMP) on file.

The Total Animal Unit Capacity = 1730 Animal Units

A Public Hearing on the Conditional Use Permit and Feedlot Public Comment will be held by the Lyon County Planning Commission on Tuesday, February 12, 2019, at 7:00 p.m. in the Commissioner's Room of the Lyon County Government Center, Marshall, MN.

Biren and Jeremiason explained project, existing site, meets odor-offset requirements, farrow to wean operation, deep pit, additional manure storage, sow and gestation purposes. State of MN will issue a feedlot permit. Manure is transferred to neighbors; site is serviced by a single well.

Public comment – none received prior to meeting, none received during meeting

Planning Commission developed findings of fact using checklist.

Number of wells discussed

Location provides plenty of space for parking

Odor offset is met, no public concern from neighbors brought forward.

Enhancement of operations, adding additional manure storage, and more farrowing space.

State will be looking into site regarding feedlot permits.

VanOverbeke moved, seconded by Steen to recommend to the Lyon County Board of Commissioners to grant a Conditional Use Permit to Guy Jeremiason, for a feedlot expansion 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 located at 1249 340th Street, Minneota MN 56264 and described as Part of the Northeast Quarter (NE ¼), Section 5, Nordland Township, Lyon County, MN.

The Proposed Facility to Consist of:

(New) Swine over 300 lbs. (475 x .4 animal factor) = 190 Animal Units

(Existing) Swine over 300 lbs. 3850 x .4 animal factor) = 1540 Animal Units

Type of Building:

(new) 101'x194' Swine Confinement Barn with 10' deep below barn concrete manure pit

Manure to be applied agronomically up to two times a year.

The Total Animal Unit Capacity = 1730 Animal Units

With the following stipulations:

1. That the applicant undertakes the project according to the plans and specifications submitted to the county with the application.

2. That the permit is invalid if the holder has not started construction on the feedlot within a year of the issued land use permit. (A land use permit is valid for one year, and can be renewed administratively for a second consecutive year.)
3. That the county may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and other applicable statutes, rules, and ordinances.
4. Manure in a slurry or liquid form that is being applied in accordance to the manure management plan on file with the MPCA shall be injected or spread and incorporated within 24 hours of spreading except for approved emergency spreading.
5. Manure being hauled on public roads must adhere to policies of the particular road authority involved.
6. The applicant shall obtain all appropriate licenses and permits relevant to the request. Agency involved could be the DNR, MPCA, Board of Animal Health, MDA, MDH, etc.
7. Dead animals shall be disposed of in accordance with the Board of Animal Health Regulations. (Structures used for storing dead animals prior to rendering or structures used for composting shall meet appropriate county and state regulations.)
8. The offset model must indicate 94% annoyance odor free. Any odor control technologies used in the offset model must be in place and maintained. Minimum setback to be 1320'.
9. The feedlot shall meet the minimum standards side, rear, and road right of way setbacks, other setbacks, and lot size. Any trees to be planted shall be at least 60 feet from the road right of way.
10. Violations of these conditions or other regulations found in the Lyon County Zoning Ordinance are grounds for enforcement proceedings.
11. Adopt Findings of Fact as part of Motion.
12. A copy of the County Board's Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

All voted in Favor, motion carried.

DeCock adjourned meeting

Respectfully submitted,

Bernie DeCock, Planning Commission/

John Biren, Lyon County Planning & Zoning