

## MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

Tuesday, July 14, 2020– 7:00 P.M., COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN. Due to the COVID 19 Virus, the meeting offered a call in option for board members and participants. Roll call voting utilized on land use decisions.

MEMBERS PRESENT: Louwagie, Steen, VanOverbeke, Meulebroeck

Absent, Williams

OTHERS PRESENT: Springstead and Biren

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

All present recited the Pledge of Allegiance

Identify any conflicts of interest: Meulebroeck indicated he had a potential conflict and would abstain from voting on the Braden French CUP application

Minutes for the June 9, 2020 meeting reviewed, Meulebroeck moved, second by Louwagie to approve the minutes as presented. All in favor motion carries.

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

BOARD OF ADJUSTMENTS: none

PLANNING COMMISSION: Request by Braden French for a conditional use permit to expand an existing feedlot.

Biren read the public notice and introduced Braden French (Present via phone)

Biren reviewed a map of proposed project, and explained the history of the existing barn. Explained the State will issue the feedlot permit. Braden, we farm 1,300 acres with 700 acres within four miles of this site. The current barn utilizes about 150 acres, on a corn soybean rotation. The crop consultant helps with the recommendations.

Steen, do you have other properties to put manure on. Braden, we will try as much as possible to use our fields, we may have a neighbor take some in some cases but plan to use it.

VanOverbeke, will the manure application be in close proximity to the lake and ditch, Braden we do incorporate the manure right away, we avoid spreading on top. We do not have any open ditches that drain to school Grove Lake. We do have a ditch that drains into Cottonwood Lake. We have out buffer strips in place and incorporate manure to avoid runoff. Manure testing and soil testing will be an evolving plan, Braden, we utilize CENTROL crop consultants and we keep up to date on so we do not waste any nutrients.

Biren, (Braden) talk about constructions, staging, utilities, water, electricity etc. Braden, barn will be similar, construction will occur onsite, rural water will be main source of water well we be used as a backup or second option. VanOverbeke, is rural water on site now? Braden, yes we have two hookups.

Louwagie, is this the engineering for the barn, Biren, this plan is for the existing barn, an engineering company will need to be hired.

Biren I received one phone call Tony VanUden, concern about manure plans. Braden, he wanted to make sure the manure was handled correctly.

Biren, Lyon County Highway Department No official contract, Aaron VanMoer, Highway Engineer commented it was an existing site.

DNR, is in the loop for a water appropriations permit.

Steen, when will the DNR make a decision? Biren, it based on 1,000,000 gallons a year, of 10,000 gallons a day.

Developed Findings of Fact from checklist.

Keith VanOverbeke, how long does it take to feed hogs. French, roughly 12,000 pigs a year will go through the facility.

Steen, rather straight forward, state will be issuing the feedlot permit.

VanOverbeke moved, seconded by Louwagie to recommend to the Lyon County Board of Commissioners to grant a Conditional Use Permit to Braden French, to expand an existing feedlot 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%. The land is zoned agricultural and described as:

The Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section Thirty-five (35) Township One Hundred Thirteen (113) Range Forty (40) Lyon County, MN

The Proposed Facility to Consist of:

(Existing) Swine, between 55 and 300 pounds (2,400 x.03 animal factor) = 720 Animal Units

(New) Swine, between 55 and 300 pounds (2,400 x.03 animal factor) = 720 Animal Units

Type of Building:

(Existing) Approximately 102'x 200'x 8' Total Confinement Barn with 8' deep below the barn concrete manure pit.

(New) Approximately 102' x 200' x 8' Total Confinement Barn with 8' deep below the barn concrete manure pit.

(New) Composting Facility

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. Minimum lot size for a new animal feedlot is 5 acres.
12. Adopt Findings of Fact as part of Motion.
13. 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.

VOTING FOR By Role Call: Steen, Louwagie, VanOverbeke OPPOSED: None ABSTAINED: Meulebroeck  
ABSENT: Williams

Motion by VanOverbeke Second by Meulebroeck adjourn meeting motion passed,

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Laurel Steen, Planning Commission

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John Biren, Lyon County Planning & Zoning