

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

Tuesday, February 9th 2021– 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, Debaere, VanOverbeke, Meulebroeck,

OTHERS PRESENT: Biren, Springstead, Gavin Laleman

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

Introduced new members Kenny Debaere and Carolyn Olson, Olson had a prior engagement.

All present recited the Pledge of Allegiance

Identify any conflicts of interest: None

Amend/Approve the Agenda

Meulebroeck moves second by Louwagie to approve the agenda, all vote in favor motion carried.

Elections of Officers:

Meulebroeck nominated Ken Louwagie for chair second by Debaere, all voted in favor motion carried

Louwagie nominated Meulebroeck for vice chair second by Debaere, all voted in favor motion carried.

Biren introduced Gavin Laleman to the Zoning Board, and read the public notice, A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Gavin Laleman 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(I). Odor OFFSET setback requirement is 94 %. Minimum setback for a new feedlot from neighboring dwellings is 1320'. In this case, variance request of 159' feet closer to the neighboring dwelling was approved on 10-13-2020. The land is zoned agricultural. The land is explained and described as following: All that part of the East Half of the Southeast Quarter (E 1/2, SE 1/4) of Section Four (4), Township One Hundred Thirteen (113) North, Range Forty-one (41) West, Lyon County, Minnesota. The Proposed Facility to Consist of: (New) Feeder Cattle (850 x 1 animal factor) = 850 Animal Units.

Reviewed maps of project including setbacks and odor offset

Gavin Laleman, explained manure application generally once in the fall cover approximately 400 acres over two years, loading and unloading on site, a well and rural water will be used.

Biren – Did not receive any formal or informal public comments.

Discussed manure application

Developed findings of facts

Kevin Muelebroeck, seconded by Kenny Debaere to recommend to the Lyon County Board of Commissioners to grant a Conditional Use Permit to Gavin Laleman, to construct a new 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: All that part of the East Half of the Southeast Quarter (E 1/2, SE 1/4) of Section Four (4), Township One Hundred Thirteen (113) North, Range Forty-one (41) West, Lyon County, Minnesota. The Proposed Facility to Consist of: (New) Feeder Cattle (850 x 1 animal factor) = 850 Animal Units

Type of Building:

(New) Approximate dimensions include a 76' x 321' proposed 850 head confinement barn with four (4) below the barn manure pits. Each pit has a dimension of 56' x 80' x 14' deep. Other buildings to include working shed and feed storage.

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

The Total Animal Unit Capacity = 850 Animal Units

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.
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. (Variance from neighboring dwelling granted 10/20/20)
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 Roll Call: Meulebroeck, Debaere, Louwagie, Vanoverbeke

OPPOSED: None

ABSTAINED: None

ABSENT: Olson (Excused)

Meulebroeck approve minutes second by VanOverbeke to approve minutes of January 12 meeting all voted in Favor.

Motion to adjourn by Meulebroeck second by Debeare all in favor, motion carried.

Planning Commission Chair

John Biren, Lyon County P&Z Administrator