

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

Tuesday, April 12, 2022 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN.

MEMBERS PRESENT: Louwagie, Sleiter, Meulebroeck, C. Olson

OTHERS PRESENT: Biren, Springstead, Crowley, Graupmann, Aaron Swanson

ABSENT: DeBaere

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

All present recited the Pledge of Allegiance

Identify any conflicts of interest: None

Suggestions by Springstead for future questions Conditional Use Permits/Findings of Fact - Handout.

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

Minutes for the February 8, 2022 meeting reviewed, Louwagie moved, second by Meulebroeck to approve the minutes as presented. All in favor motion carries.

BOARD OF ADJUSTMENTS: None

PLANNING COMMISSION:

Biren: Reads Conditional Use Permit Request from Aaron Swanson

A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Aaron Swanson 1587 County Road 13, Russell, MN 56169 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%, with a minimum setback of 667 feet from a neighboring dwelling. The land is zoned agricultural and described as following:

The East Half (E 1/2) of the Northeast Quarter (NE 1/4) of Section Four (4), Township One Hundred Nine (109), Range Forty-three (43) Shelburne Township, Lyon County, Minnesota

Existing:

Four- Calf sheds with open lots approximately 23'x30' each holding 30 head

Two- Calf sheds with open lots approximately 30'x36' each holding 30 head

One - Calf shed with open lot approximately 42'x42' holding 30 head

Total of 210 calves x 0.2 animal unit factor = 42 animal units

One - Backgrounding shed with open lot approximately 32'x96' holding 150 head

Total Backgrounding cattle 0.7 animal unit factor = 105 animal units.

One - Finishing mono-sloped barn with open lot approximately 100'x100' holding 200 head

One - Finishing mono-sloped barn with open lot approximately 96'x100' holding 200 head
Total of 400 Finishing cattle x 1.0 animal unit factor = 400 Animal units

Proposed:

In addition to the existing facilities:

One - Finishing mono-sloped barn 100'x225' holding 400 head
Total of 400 Finishing cattle x 1.0 animal unit factor = 400 Animal units

Existing animal units = 547
Expansion animal units = 400
Total of existing plus expansion = 947 animal units.

Manure to be stored and applied in accordance with manure management plan on file.

Biren: Introduces Aaron Swanson. Proceeds to explain project.

Swanson: 2 sons will be helping out with cattle. Sons aren't able to build on their current locations.

Olson: Did you talk to closest neighbor?

Swanson: Neighbor is okay with the expansion

Olson: Any other questions?

Olson: What type of floor? Swanson: Concrete, not slat floor, completely covered building

Open the floor to public comment - No comments. No comment from Lyon County Highway Engineer

Biren: Shelburne Township board – town board has no comment.

Biren: Closes public comment. Moves to finding of facts.

Olson - Read through Findings of Facts

Board agrees with all findings of fact and answers yes to all of the findings of facts.

Biren – Read proposed motion for Planning Commission - Conditional Use Permit to Aaron Swanson, 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 the expanding part of the feedlot is 667'. The land is zoned agricultural and located at 1587 County Road 13, Russell, MN 56169 and described as The East Half (E 1/2) of the Northeast Quarter (NE 1/4) of Section Four (4), Township One Hundred Nine (109), Range Forty-three (43) Shelburne Township, Lyon County, Minnesota

Existing:

Four- Calf sheds with open lots approximately 23'x30' each holding 30 head
Two- Calf sheds with open lots approximately 30'x36' each holding 30 head
One - Calf shed with open lot approximately 42'x42' holding 30 head

Total of 210 calves x 0.2 animal unit factor = 42 animal units

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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 to be applied in accordance to the manure management plan on file with the MPCA .
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 667'.
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.

Motion by Louwagie, 2nd by Sleiter to approve the Conditional Use Permit request.

VOTING FOR: Sleiter, Olson, Meulebroeck, Louwagie - Motion carried.

ABSTAIN: None

ABSENT: DeBaere

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

Board of Adjustments/Planning Commission
Chair

John Biren, Lyon County P&Z Administrator