

**Summary of the
MEEKER COUNTY PLANNING COMMISSION
January 18, 2022 – MEETING MINUTES**
Audio Available

The Meeker County Planning Commission held a meeting on **January 18, 2022 at 5:00pm** to consider the following Conditional Use, Interim Use, Rezone, Preliminary Plat permit applications and other business before the Board. Present was Jans, Loff, Turck, Euerle, Smith, Salzl and Zoning Administrator Schultz.

5:00pm

Schultz calls the meeting to order. There is a quorum.

The Board states their names for voice recognition.

Schultz asks the Board if they have any nominations for the 2022 Chairman and Vice Chairman.

Euerle nominates Jans as Chairman.

Loff seconds the nomination.

Jans is elected 6-0.

Smith nominates Hempel as Vice Chairman.

Loff seconds the nomination.

Hempel is elected 6-0.

Jans asks the Board if they have any corrections or additions to the December 14, 2021 meeting minutes. None are noted.

Salzl makes a motion for approval.

Smith seconds the motion.

Motion carried 5-0.

5:02pm

Jans opens the public hearing for NOTICE OF APPLICATION FOR LIVESTOCK FEEDLOT PERMIT

Notice is hereby given per Minnesota Statute 116.07 subd. 7(a) that **Rachael & Patrick Rusch (applicants)** and **Joseph & Karen Becker (applicant/owners)** have made application to the Minnesota Pollution Control Agency and Meeker County for a Class B feedlot with a capacity of 500 animal units or more.

The proposed feedlot will be located at **That part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) more fully described in the application. Section Four (4), Township One Hundred Eighteen (118), Range Thirty Two (32), Danielson Township.**

This site currently consists of three attached buildings; 470'x65', 470'x48' and 160'x48' previously used as poultry barns.

The proposal is to establish a Class B feedlot for dairy cattle with a capacity of 500 AU's (600 heifers and 400 calves) and to construct an earthen manure basin with the capacity of 2,529,629 gallons.

This publication shall constitute as notice to each resident and each owner of real property within 5000 feet of the perimeter of the proposed feedlot as required by Minnesota State Law.

Ann Steinhaus (Feedlot Officer), Joe Becker, Troy Oberg and Patrick Rusch are present for this hearing.

Schultz: This class B feedlot will be located at 53410 210th Street, Grove City, MN, on the 13.46-acre parcel 05-0026001 located in Section 4, Township 118, Range 32 of Danielson Township.

This property has had three feedlot conditional use permits and one variance granted in the past. The first CUP was in 1998 for a pullet growing facility, the second CUP granted in 2009 allowed the expansion of the site and allow a class C feedlot with 1198 poultry animal units and the third due to change in ownership and allowing a class C feedlot with 1170 animal units. A variance was granted in 2009 to allow 22,553 square feet above the allowed 58,631 square feet or 10% of the property to be impervious on the site. Currently on this property is a 65' x 470' layer barn and a 48' x 470' layer barn, 48' x 160' machine shed, 20' x 34' generator/office room, 16' x 20' connecting room, and 12' x 16' office.

The new owners have applied for a Class B feedlot CUP to allow up to 500 AU's of 400 calves and 600 heifers at the facility. Along with the feedlot permit they are intending on constructing an earthen manure basin with a capacity of 2,529,629 gallons.

This proposed change in animal type does not increase the encroachment on the non-owner dwelling approximately 1465 feet to the west which is beyond the 1320-foot requirement for waiver or variance and will be located on the previous feedlot site. There is a current manure management plan signed November 2021. The site will have sufficient capacity within the manure basin to accommodate the animal units.

Euerle states that this site is already set up for livestock. They are switching to cattle, so it should work out.

Jans says that when he viewed the property, it will take a lot of work to get it prepared.

Steinhaus states that there were numerous complaints on this property when it was under different owners, different management practices and different animal types.

Oberg says that he is the closest residence to this property. He's the one who suffered through all the flies when it was a chicken operation. He doesn't want to deal with another fly problem. He couldn't be outside due to the flies. Since the chicken barn shut down, it has been a paradise.

Oberg begs for the Board to reject this CUP. If the Board disregards this request, he'd at least like there to be a fly study done. Over two million gallons for manure will produce a lot of flies.

Becker states that they feed the young cows Clarify. It's an additive that goes in the feed to prevent the fly larvae from hatching. He also uses a topical spray that goes on the cows three times a week. There is a power ventilated barn and very few flies will hatch inside of that because they don't like air moving. He understands that the chickens were an issue, because they were piling manure in the back shed. That shed is now a machine shed. If there is an issue they can always get a company like Orkin to come in a treat the premises for flies. If you were to go by his dairy, you'd struggle to find a fly.

Jans says that he also runs a dairy farm and he uses Fly Control, similar to Orkin and he does not have flies. He believes dairy is a different manure.

Salzl states that he was the Feedlot Officer in his previous job and dealt with a lot of the issues we are talking about with the previous owner of this site. He agrees with Jans that switching from poultry to cattle is a different situation. The liquid manure doesn't breed flies. If you have fly problems you are going to have animal health problems.

Oberg doesn't believe that two million gallons of manure isn't going to produce flies.

Steinhaus says that generally speaking, the lagoon forms a crust on the top so the flies/larvae can't penetrate through. She explains that the manure feeds in through the bottom, so the crust isn't broke.

Becker states that he will spread once a year in the fall. The spreading is done in about two days.

Oberg still wants a fly study done.

Schultz explains that a fly study is very hard to prove. Sparboe tried and it was virtually impossible with very little data.

Steinhaus states that it is statistically hard to prove where the flies are coming from. She also says that she hasn't had any fly complaints since she started 3.5 years ago.

Jans says the manure will be scraped daily in the barns into the lagoon, so there won't be a stockpile of manure. Dairy is a whole different operation than birds.

Loff says that chicken and dairy are totally different. He was out at this property when it was previously owned, and agrees that it was bad.

Smith makes a motion to close the public hearing.

Loff seconds the motion.

Motion carried 6-0.

Schultz read the proposed conditions:

1. The Meeker County Zoning Administrator, or his/her designee(s) and at least one member of the Planning Commission shall inspect the premise at least once per calendar year in 2023, 2024 and 2025. Thereafter an inspection shall be completed every third (3rd) year. If at any inspection a feedlot violation is noted an inspection shall there forth occur yearly until three (3) consecutive inspections have occurred with no violations. Operator shall pay all costs associated with the inspections in accordance with the fee schedule of the Zoning Administrator or One Hundred Fifty Dollars (\$150.00), whichever is greater.
2. The applicant shall comply with all federal, state and local laws and regulations including permits issued by federal, state and local agencies.
3. The applicant shall file annually with the Zoning Administrator and/or his/her designee all records regarding manure nutrient analysis; soil tests for fields receiving manure, manure transfer, stockpiling sites, application rates, and application sites. M.P.C.A. rules shall be followed for crop nutrient requirements.
4. The applicant, owner, operator or commercial spreader shall spread manure on fields in accordance with the recommended crop nutrient requirements as promulgated or used by the Minnesota Pollution Control Agency (MPCA) for the next crop type to be planted on any field. Applicant shall test both manure and soil to determine the proper rate before spreading the manure.
5. The owner/operator shall immediately clean up any manure spills on public roads or right of ways.
6. Dead animals shall be disposed of according to MPCA and Department of Animal Health rules and regulations. Options including rendering, composting, burial, and other technologies. The Planning Commission along with other regulatory agencies having jurisdiction over such must approve any and all options.
7. The applicant shall be permitted to do dirt work that is required for the expansion.

8. The applicant shall have eighteen (18) months from the date of final approval of this application by the Meeker County Board of Commissioners to commence the facility as permitted by this conditional use permit.
9. This Conditional Use Permit and conditions replaces and supersedes all other previously approved Conditional Use Permits and Conditions.

Euerle makes a motion for approval with the conditions.

Smith seconds the motion.

Motion carried 6-0.

5:35pm

Jans opens the public hearing for Jacob & Chelsey Frericks (applicant) and Patrick & Theresa Frericks (owners), 54156 325th Street, Grove City, MN 56243. That part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼), more fully described in the application. Section Ten (10), Township One Hundred Twenty (120), Range Thirty Two (32), Swede Grove Township. An application for an Interim Use Permit to continue to allow a second temporary dwelling for a blood relative on a property in the A-1 Agricultural Preservation District.

Jake & Chelsey Frericks are present for this hearing.

Schultz: This property is a 13.47-acre parcel of A-1 zoned land located in Section 10, Township 120, Range 32 of Swede Grove Township. This property was purchased by the current owners in 2008 and consists of a 1995 manufactured home, 2016 manufactured home, detached garage, machine shed, small utility shed, several grain bins, a domestic water well and an SSTS system installed in 1995 for the 1995 home and a SSTS system installed for the second manufactured home in 2016 which currently needs a compliance inspection.

The property owner is asking to renew the Interim Use Permit which expired October of 2021 for a second dwelling for a blood relative. The duration of the permit they are asking for is 15 years.

Jans says he remembers in 2016 when this house was initially moved in.

Euerle said that it looked good and was clean.

Schultz reads proposed conditions:

1. This dwelling must be served by a conforming SSTS system.
2. The applicant shall obtain all required permits.
3. Property owners must follow the building code.
4. The applicant approved for temporary second dwelling shall submit annually to the Planning and Zoning office a completed certification form, indicating the conditions of the permit approval are still in place and that the need for the temporary second dwelling has not changed.
5. The second dwelling permitted shall be removed within 1 year of the date residency ceases from the relative the permit was issued for.
6. This interim use permit shall expire fifteen (15) years from the date of final approval from the Meeker County Commissioners. If another blood relative intends to occupy said dwelling, a new interim use permit must be obtained.

Smith makes a motion to close the public hearing.

Salzl seconds the motion.

Motion carried 6-0.

Euerle makes a motion for approval with the conditions.

Turck seconds the motion.
Motion carried 6-0.

5:41pm

Jans opens the public hearing for Dale & Ivonne Peterson (applicants) and Tanya Starkovich (owner), 69628 250th St, Dassel, MN 55325. That part of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼), more fully described in the application. Section Eighteen (18), Township One Hundred Nineteen (119), Range Twenty Nine (29), Dassel Township. An application for an Interim Use Permit to move in a temporary second dwelling for a blood relative on a property in the A-1 Agricultural Preservation District.

No one is present for this hearing.

Schultz: This property is 10-acre A-1 Agricultural Preservation zoned property located in Section 18, Township 119, Range 29 of Dassel Township.

Currently on this site there is a dwelling built in 1970, garage built 2006, utility shed built 2000, and other buildings built in the 1950's. No information on septic system for the site.

The property owner is requesting an interim use permit for a second dwelling on the property to assist in the day to day duties for their daughter and grandchildren. The intention is to bring in a manufactured home for the second dwelling for a duration of 20 years.

Euerle doesn't have any issues with this request.

Smith makes a motion to close the public hearing.
Salzl seconds the motion.
Motion carried 6-0.

Schultz reads the proposed conditions:

1. This dwelling must be served by a conforming SSTS system.
2. The applicant shall obtain all required permits.
3. Property owners must follow the building code.
4. The applicant approved for temporary second dwelling shall submit annually to the Planning and Zoning office a completed certification form, indicating the conditions of the permit approval are still in place and that the need for the temporary second dwelling has not changed.
5. The second dwelling permitted shall be removed within 1 year of the date residency ceases from the relative the permit was issued for.
6. This interim use permit shall expire twenty (20) years from the date of final approval from the Meeker County Commissioners. If another blood relative intends to occupy said dwelling, a new interim use permit must be obtained.

Euerle makes a motion for approval with the conditions.
Turck seconds the motion.
Motion carried 6-0.

Jans opens the public hearing for Thomas & Shirley Smith, 24475 608th Ave, Litchfield, MN 55355. Property located at 24525 608th Ave, Litchfield, MN 55355. That part of Lot One (1), Block Two (2), more fully described in the application. Brightwood Beach, Lake Ripley, Litchfield Township. A Preliminary Plat application for a two (2) lot plat of the R-1 Suburban Residential zoned plat of Rock Mound.

Dan Kieffer, Tom and Shirley Smith are present for this hearing.

Schultz: The property owners have made application to replat parcel 14-047200 which is approximately 2.91 acres. This parcel is currently made up of Brightwood Beach plat lots 2,3,4,6,7 and 8 formed February 1890. The parcel is currently zoned R-1 Suburban Residential with R-1 parcels on the contiguous properties to the east and west. This property is located in Section 23, Township 119, Range 31 of Litchfield Township, and is located within the shore land district and Riparian to the General Development Lake Ripley.

This parcel currently has one building eligibility. The property owners have made application for the consideration of the two residential lots and two outlots in the plat of Rock Mound. As per the survey, the combined lots meet or exceed the minimum lot size requirements. The property owner has submitted appropriate soils information to show that the site has the capability to establish a primary and secondary septic site.

Surface water arrows shown on the preliminary plat indicate the majority of the surface water currently runs towards the lake. Surface water pattern is not proposed to be changed based on this plat being established. No stormwater permit is needed since less than 1 acre would be disturbed during construction.

A title opinion has been submitted on this property and reviewed as needing some correction to some inconsistent calls for the SE line of Outlot A and the line between Outlot A and Outlot B. This has been addressed and will be corrected by the final plat. The applicant has submitted information from the Litchfield Township January 5, 2022 meeting indicating they are in approval of the two (2) lot plat.

Mr. Smith shows the original map and states that it is just too much land for him. He'd like to make a two-lot plat, so his daughter can build next to him.

Jans says that both lots are nice sizes.

Euerle makes a motion to close the public hearing.
Smith seconds the motion.
Motion carried 6-0.

Turck makes a motion for approval.
Loff seconds the motion.
Motion carried 6-0.

5:52pm

Jans opens the public hearing for Steven & Michelle Garaghty, 23248 Walden Ave, Hutchinson, MN 55350. Property located at that Part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼), more fully described in the application. Section Eleven (11), Township One Hundred Twenty (120), Range Twenty Nine (29), Kingston Township. An application to Rezone a parcel of land from A-1 Agricultural Preservation District to the R-1 Suburban Residential District.

Tim Mergen and Steve Garaghty are present for this hearing.

Schultz: Property parcel 13-0192004 is approximately 10.1 acres and is metes and bounds. The property is located in Section 11, Township, 120, Range 29 of Kingston township. This property is located within the shore land district of the General Development Lake Francis. This parcel is dual zoned and currently zoned R-1 Suburban Residential and A-1 Agricultural Preservation.

The property was partially rezoned to R-1 Suburban Residential in 1999 to allow for a dwelling on the northern part of the property with the southern 370 feet of the parcel staying A-1 Agricultural Preservation. Currently on the property there are no buildings or development. In 2020 the property lines for this parcel were changed to what is the existing boundary.

The property owners are proposing to rezone the remaining southern part of parcel 13-0192004 which is currently A-1 Agricultural Preservation District to R-1 Suburban Residential District in order to plat Cedar Ridge for a building eligibility. 742nd Avenue is the access for the development. Kingston Township gave their approval for residential rezoning and the plat at their meeting in October 2021.

Mr. Garaghty says that he initially had a preliminary plat approved for eight lots over 20 years ago. Now he doesn't think there are many people that want 1.5 acre lots. The site is fairly hilly and eight lots/houses would make it really tight. So now it has been changed to three lots/houses instead of eight.

He did construct a road base for the eight lots going up the center of the property. Some of that has eroded away.

Smith makes a motion to close the public hearing.
Euerle seconds the motion.
Motion carried 6-0.

Euerle makes a motion to approve.
Turck seconds the motion.
Motion carried 6-0.

6:00pm

Jans opens the public hearing for Steven & Michelle Garaghty, 23248 Walden Ave, Hutchinson, MN 55350. Property located at that Part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼), more fully described in the application. Section Eleven (11), Township One Hundred Twenty (120), Range Twenty Nine (29), Kingston Township. A Preliminary Plat application for a three (3) lot plat of the R-1 Suburban Residential zoned plat of Cedar Ridge.

Schultz: The plat is made up of Parcel 13-0192002 which is approximately 8.8 acres and parcel 13-0192004 approximately 10.1 acres. Both parcels are Metes and Bounds A-1 Agricultural Preservation zoned properties located in Section 11, Township 120, Range 29 of Kingston Township. This property is located within the shore land district of the General Development Lake Francis.

These parcels currently do not have a building eligibility due to a split on the property in February of 2020. The property owners have made application for the consideration of the three (3) lot plat of Cedar Ridge. As per the survey, the lots meet or exceed the minimum lot size requirements for an R-1 zoned lots that are non- riparian to an G.D. lake. Lot 1 will be 4.45 acres, lot 2 will be 4.20 acres, lot 3 will be 10.1 acres.

Appropriate soils information to show that the lots have the capability to establish a primary and secondary septic site. Contours shown on the Preliminary plat indicate surface water will run towards one of the delineated wetlands located on the north east boundary of the property or to the wetland area located in the south west of the property.

A wetland delineation with Storm Water Pollution Prevention Plan was completed by Houston Engineering. Surface water patterns are not proposed to be changed based on this plat being established. No stormwater permit is needed since less than 1 acre would be disturbed during construction.

A title opinion has been submitted on this property and reviewed with some comments that the north boundary line needs to be consistent before recording. This has been addressed with the owners and their surveyor and will be corrected on the final plat. The applicant has submitted information from the Kingston Township October 2021 meeting indicating they are ok with the plat as long as there is only one driveway coming off of 742nd Avenue for parcel 13-0192004 and the existing access is used for the two (2) lot plat.

Jans says there are two separate driveways.

Turck makes a motion to close the public hearing.
Salzl second the motion.
Motion carried 6-0.

Smith makes a motion to approve.
Loff seconds the motion.
Motion carried 6-0.

6:05pm

Jans states that the Board needs to make final approval for the plat of Swan Lake Bluffs for John Heutmaker.

Schultz: The property owner has made final plat application for the consideration of the two (2) lot plat of Swan Lake Bluffs, located in Section 2, Township, 119, Range 29 of Dassel Township. This property is located within the shoreland district of the Recreational Development Big Swan Lake. As per the survey, the lots greatly exceed the minimum lot size requirements for an R-1 zoned lot that is riparian to an R.D. lake. Lot 1 will be 18 acres and lot 2 will be 23.9 acres.

Appropriate soils information has been submitted to show that the site has the capability to establish a primary and secondary septic site. Contours shown on the preliminary plat indicate surface water currently runs either towards the lake located on the east boundary of the property or to the wetland areas located in the center of the property. A wetland delineation was completed by Kjolhaug Environmental Services. The delineation was approved by Meeker BWSR/SWCD on August 3, 2021. Surface water patterns are not proposed to be changed based on this plat being established. No stormwater permit is needed since less than 1 acre would be disturbed during construction.

A title opinion has been submitted on this property and reviewed as acceptable by the County Attorney's designee, on December 23, 2021. The applicant has submitted information from Dassel Township indicating they have no concerns with the two (2) lot plat.

Salzl makes a motion to approve the final plat.
Smith seconds the motion.
Motion carried 6-0.

6:13pm

Jesse Turck introduces himself to the Board.

6:16pm

Smith makes a motion to adjourn.
Euerle seconds the motion.
Motion carried 6-0.