



REDWOOD COUNTY ENVIRONMENTAL OFFICE

*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

PO BOX 130
REDWOOD FALLS
MINNESOTA 56283
PH: 507-637-4023

AGENDA

REDWOOD COUNTY PLANNING COMMISSION

Monday, May 22nd, 2017 – 1:00 p.m.

1. Call to Order
2. Public Hearing on the *Application for Conditional Use Permit* submitted by Jamie Jenniges
3. Public Hearing on the *Application for Extraction Conditional Use Permit* submitted by Mark Madsen
4. Public Hearing on the *Application for Conditional Use Permit* submitted by Steven Flaig o/b/o the City of Lamberton
5. Public Hearing on the *Application for Animal Confinement Feedlot Conditional Use Permit* submitted by Jeff Knott
6. Public Hearing on the *Application for Animal Confinement Feedlot Conditional Use Permit* submitted by Mark Coulter
7. Public Hearing on the *Application for Animal Confinement Feedlot Conditional Use Permit* submitted by Brady Hagert
8. Other Business:
 - a. Review and approve the minutes from the April 10th Planning Commission meeting
 - b. Any other business



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TO: Redwood County Planning Commission

FROM: Nick Brozek 
Land Use and Zoning Supervisor
Redwood County Environmental Office

DATE: May 15th, 2017

RE: Planning Commission Hearing on May 22nd, 2017

A meeting of the Redwood County Planning Commission has been scheduled for Monday, the 22nd day of May, 2017, beginning at 1:00 o'clock p.m. at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

The meeting will involve six (6) public hearings. A brief summary of the subject matter of the hearing is set forth below.

1. Public hearing on Application for Conditional Use Permit submitted by Jamie Jenniges.

An *Application for Conditional Use Permit* has been filed by Jamie Jenniges for the operation of a business engaged in auto body repair and painting on the following described property, situated in the County of Redwood, State of Minnesota, to wit: A tract beginning 940.09' west of the Northeast Corner of the Southeast Quarter (NE COR SE1/4), thence west 642.89', south 584', east 673.94' and north 600' to the point of beginning, containing 8.94 acres in the Southeast Quarter (SE1/4) of Section 8, Township 110 North, Range 39 West, Gales Township. The business is located in the "A" Agricultural District and is also the location of Mr. Jenniges' dwelling.

Section 7, Subd. 3, Paragraph 9 states that it is a conditional use in the agricultural district to operate any "agricultural related business related to farm tractor, truck, or automobile repair." Consequently, Mr. Jenniges was asked to apply for a Conditional Use Permit.

The business is located in a 48' x 48' farm shop building. There is a concrete parking pad on the east side of the building, along with a graveled parking and loading area.

The business is open from 8am to 5pm Monday through Friday. It is Jenniges' full-time job, and he has no employees.

The business includes an enclosed and vented painting booth with intake and exhaust filters. Jenniges also has a solid recycler that cooks impurities out of used paint and thinner so that it can be reused. Jenniges is looking into the proper disposal of the removed solids from the recycler. A dumpster is kept on site to dispose of regular business waste. Jenniges does not yet have a contract with a waste hauler for emptying and disposing of the trash from the dumpster.

The business is partially screened from the public roadway by the grove and yard trees, as well as by Mr. Jenniges' dwelling. Rows of trees and bushes also screen the business from the surrounding farm fields.

Jenniges intends to add an office and bathroom onto the business building, probably next year. The business building and office (including bathroom if held open to the public) will need to be handicapped accessible and inspected by a licensed building inspector.

The property at issue is located on the south side of and abuts 205th Street, about a mile southwest of the built up area of the City of Seaforth, and about ¼ of a mile west of County Hwy 8. Pursuant to Section 7, Subdivision 5(2)(A)(1) of Redwood County Zoning Ordinance, “[t]here shall be a minimum front yard setback of sixty-seven (67) feet from right-of-way of any public road...” The relevant section of 205th Street has a right of way of 33 feet. Therefore, a building cannot be located within 100 feet of 205th Street, measured from the center of the road. The building in which the business is located is 290 feet from 205th Street, measured from the center of the road. Therefore, the conditional use satisfies the front yard setback requirement.

The business site is about 1800 feet north of the bank of the Cottonwood River. The site is outside of the river floodplain per the FEMA Flood Insurance Rate Maps, and is about 30 feet higher elevation than the floodplain area. The land between Jenniges’ site and the river includes a quarter mile wide vegetated area, mostly grass. The closest county ditch and tile are well over a quarter of a mile northeast of the site. Pursuant to Section 7, Subdivision 5(5)(A), “[t]here shall be a minimum setback of one hundred (100) feet from any Judicial or County tile lines. The said setback requirement shall apply to erection of and maintenance of all structures, buildings, and the like.” The above described tile is the closest County Tile to the conditional use. Therefore the proposed conditional use satisfies the setback requirement regarding county tile.

Two residences, other than that of the applicant, are located within ½ mile of the conditional use. The nearest third-party residence to the business is a residence owned by Courtney Lau, located at 11841 205th Street, about 450 feet northeast of the conditional use. The only other dwelling within a half mile is that of Beau & Sarah Schlemmer, located at 11377 205th Street, about 2000 feet northwest of the conditional use. The Lau residence is the former residence of Jenniges, who sold it to Lau.

Mr. Jenniges submitted his permit application on March 30th, 2015. State law requires us to process all permit applications (approve or deny) within 60 days of receipt, a time period which will run out on May 29th. However, Mr. Jenniges was informed in writing that this time-period has been extended for an additional 30 days, in order to allow time to bring the Planning Commission’s recommendation to the County Board for final determination.

The proposed conditions for the *Application for Conditional Use Permit* submitted by Jamie Jenniges are attached hereto.

2. Public hearing on Application for Extraction Conditional Use Permit submitted by Mark Madsen.

Mark Madsen is seeking to permit a new gravel pit on his property located in the East Half of the Northeast Quarter (E1/2 NE1/4) of Section 22, Three Lakes Township. The land is currently a tilled agricultural field, on the west side of Ocean Avenue. The mining site will be about ½ mile south of State Hwy 68, on Ocean Ave. The site is located in the Agriculture District. Mining is a Conditional Use in said District.

Approximately 10 acres of the 80-acre site will be mined and/or used for mining processes and stockpiling. The topsoil will be stripped off and stockpiled for reclamation. The gravel and fill material will be mined as needed for local projects. This will include stockpiling, and hauling. Gary Kerkhoff will be the contractor operating the site. Madsen is seeking a 10 year permit.

Pursuant to Sec. 16, Subd. 5, Subp. H of Redwood County Zoning Ordinance, the applicant is required to post a bond, cash deposit, irrevocable letter of credit, or other security to Redwood County in the amount of \$2,000.00 per acre, a minimum of \$10,000.00, or 125% of the estimated/bid value to reclaim the property, whichever is

greater. The Redwood County Board of Commissioners may require a higher surety amount, if in the reasonable discretion of the County, the unique characteristics of the proposed project require more substantial restoration or reclamation. Further, pursuant to Sec. 16, Subd. 5, Subp. I of Redwood County Zoning Ordinance, “[s]ureties shall be for a minimum of one year beyond the ending date of Conditional Use Permit.” The contractor may provide the reclamation surety.

Pursuant to Sec. 16, Subd. 5, Subp. G of Redwood County Zoning Ordinance, the applicant is required to provide proof of bodily injury, property damage, and public liability insurance in the amount of at least \$1,000,000.00 per occurrence. The contractor may provide the proof of insurance.

The site is in the southeast corner of the property (it is the Southeast Quarter of the Southeast Quarter of the Northeast Quarter), along Ocean Avenue and a building site on which Madsen’s nephew, Alex Madsen, is constructing the new hog barn he permitted last year (CUP #18-16). Some of the material will go to this project. The pit will be accessed from Ocean Ave. via a field approach near the south property line. The setback to the south property line will be zero feet. County Highway Engineer Willy Rabenberg generally recommends a setback of 67 feet from the right-of-way line for all mining operations.

The area to be mined includes a hill that rises about 25 feet above the road ditch on Ocean Avenue. This project is intended to flatten the hill. The topsoil will be scraped off and reserved, material will be removed to flatten the grade of the hill, and after ten years the site will be sloped and graded, the topsoil replaced, and then Madsen plans to enroll the land in a conservation program, or return to agricultural use.

A county tile main is located on the Alex Madsen property, about 130 feet from the property line. This tile is a 12” main that comes from the south and then turns east and outlets in County Ditch 24, about 800 feet east of the proposed excavation site. CD 24 is the closest public ditch to the proposed project and is located on the opposite side of Ocean Avenue from the pit site.

The three closest residential dwellings to the site are as follows: Jeff & Lisa Madsen, 24331 Ocean Avenue, about 950’ southeast of the site; Robert & Patricia Steffl, 24961 Ocean Avenue, about 1250’ northeast of the site; and Dennis Sell, 37347 240th Street, about 3440’ southwest of the site.

The soils present on the site are as follows:

1. Storden-Estherville-Ves loams, 6 to 12 percent slopes, eroded
2. Webster clay loam, 0 to 2 percent slopes
3. Canisteo clay loam, 0 to 2 percent slopes
4. Normania loam, 1 to 3 percent slopes.

As of this writing, the Environmental Office has been contacted by two separate neighboring landowners, who inquired as to the specific location of the area to be mined and its proximity to their neighboring agricultural properties.

A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

3. Public hearing on Application for Conditional Use Permit submitted by Steven Flaig o/b/o the City of Lamberton.

An *Application for Conditional Use Permit* was submitted by the City of Lamberton to expand the Kuhar Park campground and walking trail. The project will include the construction of a 30’ x 22’ concrete block bathhouse with storage space, six 15’ x 35’ concrete camping pads, upgraded electrical and water systems, new septic system, handicapped parking, expanded trailer turn-around, and groomed walking trail.

Kuhar Park is located on the north bank of the Cottonwood River, north of the City of Lambertton, on CSAH 6. The entire park is within the Floodplain District. Most of the park is located in the Floodway of the Floodplain District, but the northeast corner of the park is located in the less restrictive Flood Fringe. Since septic systems cannot be located in the Floodway, the bathhouse and septic are to be located in the Flood Fringe area, and the new camp sites are to be located in the Floodway area. Recreational vehicles and campgrounds are listed as Conditional Uses in the Floodway District.

In order to fit the proposed improvements into the different Floodplain zones the way the City wants, the City is purchasing a 40' strip of property on the north side of the park from neighboring landowners Leon & Janice Benedict. This additional 40' strip will extend from CSAH 6 in the east to the Cottonwood River in the west. The east half will be used for the camp sites, bathhouse, and septic. The west half will be planted into prairie grass. The Benedict property is currently a tilled agricultural field.

The new camp sites will be on the north side of the park road that runs east to west along the north side of the park. In the future it is anticipated that six additional campsites will be added south of this road.

The electrical box for the bathhouse and each individual campsite hookup will be elevated above the regulatory flood protection elevation (one foot above the elevation of the regional – 100-year – flood), including the new electrical hook-ups planned for the existing camp sites.

The main electrical shut-off for the park will be located in the new bathhouse. When the park floods, city employees will turn off the power to the entire park. City employees receive flood warning alerts on their phones and monitor the flooding at the park closely. When the waters rise up to the pump house, then the picnic tables are tied together, the electricity is shut off, and the campers are evacuated.

The planned walking trail will consist of a trail about a skid-loader width across which will be cleared of undergrowth and brush and paved with wood chips. The trail will wind through the existing trees and no mature trees will be removed. Wood chips will be obtained as needed from Keck's Tree Service.

In the middle of the park, at the point at which the Cottonwood River meanders to the north, creating the narrowest part of the park, there is a gravel circle, or turn-around, for the campers to use to turn around and exit the park. This feature will be expanded and enlarged to the north, via clearing and placement of additional gravel, onto the property acquired from Benedict. The purpose of expanding the turn-around is to allow large campers to be turned around without the need to back up.

The old bathhouse is no longer used as a bathhouse and the water line is turned off. The future plans for the building is as a storage or utility shed.

The city is working through the campground permitting process with Southwest Health and Human Services (SWHHS) and will be applying for a permit for the expansion through that agency. SWHHS will make sure the City follows the state campground regulations, regarding setbacks, campsite spacing, bathhouse construction, etc. They will conduct plan review and on-site inspections of the campground.

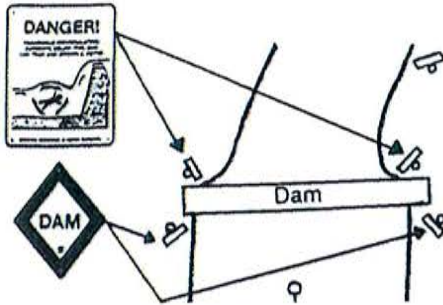
Three neighboring landowners contacted the Environmental Office after receiving mailed notice of the hearing on Lambertton's application. All were merely interested in how much the park property will be physically expanded.

The three closest neighboring dwellings to Kuhar Park are as follows: Donald & Tammy Dietz, 13785 CSAH 6, 1475 feet north of the park; Glen & Tammy Pfarr, 13761 CSAH 6, 1495 feet north east of the park; and Roger Pfarr, 13035 CSAH 6; 1725 feet southeast of the park.

Pursuant to Floodplain Ordinance Subd. 6.2.C., a copy of the application was sent to the DNR for review and comment. Lucas Youngsma, DNR area hydrologist, provided the following comments:

Thank you for the opportunity to review and provide comments. I would encourage the community to consider biodiverse plantings and mowing cessation or other vegetated buffer establishment along the Cottonwood River even though the park is compliance with the §103F.48 Buffer Law. Also, as the park pursues emergency weather sirens, I would encourage that this include flood warning.

Additionally, I am trying to acquire “danger – hazardous recirculating current” and “Dam” blazer signs for placement by the park along the River. These signs may be temporary, but certainly beneficial until such time as the hazards are addressed.



The City has submitted park rules and an emergency plan attached to its CUP application. The emergency plan has provisions for wild and structural fire, flooding, tornadoes and wind, lightning and severe thunderstorms, and illegal activity. The new bathhouse is designed to provide shelter in emergencies.

The construction will be undertaken by Lamberton Construction. The septic system will be designed and installed by L&S Construction.

The park is about 4300 feet north of the city limits of the City of Lamberton.

There is no county ditch or tile in or near the park.

The soils on the location are classified as Havelock-Zumbro complex, 0 to 3 percent slopes, frequently flooded and Spillville loam, occasionally flooded.

The proposed conditions for the *Application for Conditional Use Permit* submitted by the City of Lamberton are attached hereto.

4. Public hearing on Application for Animal Confinement Feedlot Conditional Use Permit submitted by Jeff Knott.

Knott is proposing to construct a new swine feedlot consisting of one 51' x 200' total confinement barn with 8' deep under floor manure storage pit. The barn will house 1250 head of finishing swine between 50 and 300 lbs. The barn will be tunnel ventilated and used as a research finishing unit, to test the effect of different feeds and nutrients. The pit will have a manure capacity of 499,250 gallons.

Redwood County Feedlot Ordinance requires that a Conditional Use Permit be obtained for a new feedlot consisting of 100 or more animal units or when constructing a new manure storage structure.

The feedlot is located in Section 33 of Gales Township, on County Hwy 8, just south of a small gravel pit on the east side of the road. The proposed new barn site is on land currently owned by David Knott. Jeff has a signed agreement with David to purchase up to 3 acres, contingent upon the permitting being approved.

It is anticipated that 684,375 gallons of water will be used by the feedlot annually. A well will be drilled to supply water.

The barn will include three pump-outs on the back (east) side and an office and loadout on the front (west). The feed bins will also be on the front. The barn will be set back 150' from the edge of the CSAH 8 right-of-way (not including the office and loadout). A new approach will be installed from CSAH 8 and a gravel parking and loading area constructed between the barn and the road. A dead box will be placed on the south edge of the parking area to store deads until picked up by the rendering truck.

The office will include a bathroom with toilet, shower, and laundry. A septic system will be installed by Ken Duscher.

The barn will have perimeter tile around the outside of the pit footing. This will tie into a dedicated tile line running to the southeast to an existing tile line.

The pit floor will be 5" concrete (with fiber mesh) with 8" x 16" footings under the walls. The walls will be 8" thick steel-reinforced concrete.

The closest county ditch to the feedlot will be JD 9, about 2800 feet west of the site. The closest county tile main is 2900 feet west of the feedlot site.

The three nearest dwellings to the proposed site are as follows: Bruce & Jeanne Flesner, 17211 CSAH 8, about 2430 feet north of the site; a dwelling owned by Mary Ann Blanchett, 11655 170th Street, about 2520 feet northwest of the site; and Ryan & Melanie Anderson, 16063 CSAH 8, about 3500 feet south of the site. Additionally, an old unoccupied farm site owned by Marvin Muenchow is located 2030 feet west of the site. All other building sites in the surrounding area are well over ½ of a mile from the proposed barn.

Staff used the University of Minnesota OFFSET odor from feedlots setback estimation tool to calculate the Annoyance-free frequency for the following dwellings:

1. Flesner – 98% annoyance free
2. Blanchette – 98% annoyance free
3. Anderson – 99% annoyance free
4. Muenchow – 98% annoyance free

Mr. Knott has 800 acres under agreement available for spreading the manure. These fields are located in Gales Township Section 33 and Springdale Township Sections 4 and 17.

Dead animals will be stored to be picked up and rendered.

A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

5. Public hearing on Application for Animal Confinement Feedlot Conditional Use Permit submitted by Mark Coulter.

Coulter is proposing to construct a new swine feedlot consisting of one 122' x 164' total confinement barn with 8' deep under floor manure storage pit. The barn will house 2400 finishing pigs.

Redwood County Feedlot Ordinance requires that a Conditional Use Permit be obtained for a new feedlot consisting of 100 or more animal units or when constructing a new manure storage structure.

The feedlot will be located in Section 31 of Willow Lake Township, on 160th Street about ½ of a mile west of CSAH 17 and about two miles south of the City of Wanda. The proposed new barn site is on land currently owned by Darold and Sharon Coulter. Darold Coulter signed the CUP application along with Mark.

An estimated 924,000 gallons of water will be used by the feedlot annually. A new well will be drilled to supply this water.

The barn will have an 8' deep manure pit divided into two sections by a 12" thick divider wall. There will be 2 manure pump-outs on each pit. The loadout will be on the south side (road side) and the feed bins will be on the east end of the barn. A new approach will be installed from 160th and a gravel parking and loading area constructed between the barn and the road. A compost structure will be constructed to compost the deads on site.

The barn will have perimeter tile around the outside of the pit footing.

The pit floor will be 5" concrete (with fiber mesh) with 8" x 16" footings under the walls. The walls will be 8" thick steel-reinforced concrete. The pit will hold 952,174 gallons of manure.

The closest county ditch to the feedlot will be CD 102, about 4500 feet west of the site. The closest county tile main is 400 feet west of the feedlot site.

The three nearest dwellings to the proposed site are as follows: Galen & Christine Beranek, 28753 160th Street, about 2000 feet east of the site; Thomas & Mary Lou Donaghue, 15581 Jade Avenue, about 2600 feet southwest of the site; and Dennis Dauer, 15670 Jade Avenue, about 3000 feet southwest of the site. Additionally, the residence of Darold & Sharon Coulter is about 700 feet northwest of the site. All other building sites in the surrounding area are well over ½ of a mile from the proposed barn.

Staff used the University of Minnesota OFFSET odor from feedlots setback estimation tool to calculate the Annoyance-free frequency for the following dwellings:

1. Beranek – 97% annoyance free
2. Donaghue – 97% annoyance free
3. Dauer – 98% annoyance free
4. Coulter – 90% annoyance free

Mr. Coulter has 733.7 acres under agreement available for spreading the manure. These fields are located in Charlestown Township Section 7, Waterbury Township Section 24, Willow Lake Township Sections 31, 32, and 33, and Lamberton Township Section 24.

A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

6. Public hearing on Application for Animal Confinement Feedlot Conditional Use Permit submitted by Brady Hagert.

Hagert is proposing to construct a new swine feedlot consisting of one 153' x 185' total confinement barn with 8' deep under floor manure storage pit. The barn will house 3300 finishing pigs.

Redwood County Feedlot Ordinance requires that a Conditional Use Permit be obtained for a new feedlot consisting of 100 or more animal units or when constructing a new manure storage structure.

The feedlot will be located in Section 8 of Redwood Falls Township, on 325th Street about ½ of a mile south of State Hwy 19 and about 3 ½ miles west of the City of Redwood Falls. The proposed new barn site is on land

currently owned by GN Nelson Farms LLC. Hagert has signed an Earnest Money Contract of Sale for approximately 7 acres.

The proposed barn site was selected by the applicant because there are few neighboring residences. Originally, the plan was to build the barn on a hill across 325th street from the old county landfill site, nearer to the Bryan and Kristi Hagert residence. However, the seller wanted to sell the old grove site on the corner of 325th and did not want to have two different sites to be farmed around. Consequently, the land being sold to Hagert includes the grove.

An estimated 924,000 gallons of water will be used by the feedlot annually. A new well will be drilled to supply this water.

The barn will have an 8' deep manure pit divided into three sections by a 12" thick divider wall. There will be 4 manure pump-outs on the north and south sides of the barn and one each on the east and west sides, so that the pit sections on either end will have 3 pump-outs each and the center pit section will have four pump-outs. The loadout will be on the south side (road side) and the feed bins will be partly on the southwest corner of the barn and partly on the southeast corner. Two new approaches will be installed from 325th and a gravel parking and loading area constructed between the barn and the road. A 10' x 10' structure will be constructed to store deads for rendering.

The barn will have perimeter tile around the outside of the pit footing.

The pit floor will be 5" concrete (with fiber mesh) with 8" x 16" footings under the walls. The walls will be 8" thick steel-reinforced concrete. The pit will hold 1,300,000 gallons of manure.

The Redwood River is about 1500 feet southeast of the proposed barn site, on the opposite side of 325th Street.

The closest county ditch to the feedlot will be JD 33, Lat. J, about 3300 feet northwest of the site. The closest county tile main is 4400 feet northeast of the feedlot site.

The three nearest dwellings to the proposed site are as follows: A residence owned by Thomas & Gale Morley, 29531 330th Street, about 2700 feet north of the site; a residence owned by Ronald Paskewitz, 30121 330th Street, about 4900 feet northeast of the site; and Bryan & Kristi Hagert, 28379 325th Street, about 5100 feet west of the site. Additionally, a former residential property owned by Dana & Jennifer Woelful is about 2000 feet east of the site. According to the applicant, the house on the Woelful property has been destroyed and the property is used primarily for hunting. All other building sites in the surrounding area are well over a mile from the proposed barn.

Staff used the University of Minnesota OFFSET odor from feedlots setback estimation tool to calculate the Annoyance-free frequency for the following dwellings:

1. Morley – 97% annoyance free
2. Paskewitz – 98% annoyance free
3. Hagert – 98% annoyance free
4. Woelful – 96% annoyance free

Mr. Hagert has 636 acres listed on his manure management plan available for spreading the manure. These fields are located in Redwood Falls Township Sections 7 and 8, and Delhi Township Sections 31 and 32.

A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.