



REDWOOD COUNTY ENVIRONMENTAL OFFICE

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

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REDWOOD COUNTY PLANNING COMMISSION

MINUTES

Meeting Date: September 26, 2016

A meeting of the Redwood County Planning Commission convened on Monday, the 26th day of September, 2016, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mike Scheffler, John Rohlik, Jr., Dave Mattison, Mark Madsen, Kent Runkel, and Commissioner Lon Walling. Also present were the following individuals: Jeff Bauman, Megan Schaefer, Keith Schaefer, Doug Riederer, Brett Mathiowetz, Roger Kettner, Wilfred Spaeth, Virginia Salfer, Rodney Salfer, Dale Hansen, Redwood County Zoning Administrator Scott Wold, and Redwood County Land Use & Zoning Supervisor Nick Brozek.

At approximately 1:00 p.m., Chair Scheffler called the meeting to order. Chair Scheffler read aloud the rules of the meeting.

At 1:02 p.m. Chair Scheffler called to order a public hearing on a Conditional Use Permit submitted by Rodney Salfer on behalf of landowner Virginia Salfer.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the Salfer application:

1. An *Application for Conditional Use Permit* has been filed by Rodney Salfer for the operation of a business engaged in welding and metal fabrication on the following described property, situated in the County of Redwood, State of Minnesota, to wit: The East 155 acres of the Southeast Quarter (SE1/4) of Section 14, Township 111 North, Range 37 West, Vail Township. The proposed use is located in the "A" Agricultural District and is an existing farm building site and residence.
2. The primary work of the business includes repair of farm truck trailers and equipment and manufacture of leg spouting and platforms for leg towers.
3. Aside from Mr. Salfer, two other people are employed by the welding and fabrication business. The site has adequate parking space available. Business with customers is conducted mostly via telephone and the public generally does not access the site. The business will be housed in an existing 78' by 172' steel shop structure. The building includes a small office and bathroom for employee use. The business is open from 7 am till 5 pm on weekdays. An average of approximately 6 business vehicle visits occur each work day.
4. A holding tank has been installed to collect sewage generated by the business. This is pumped as needed. The tank is set up to allow for adding a treatment area in the future, if Mr. Salfer decides to do so.

5. The property at issue is located on the west side of and abuts US Hwy 71, about 2/3 of a mile north of the City of Wabasso. 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 Hwy 71 has a right of way of 50 feet, as measured from the center line of the road. Therefore, a building cannot be located within 117 feet of Hwy 71, measured from the center of the road. The business building is located 340 feet from Hwy 19, measured from the center of the road. Therefore, the conditional use satisfies the front yard setback requirement. Several existing farm buildings on the site do not meet the ROW setback, but these are not used for the welding business.
6. No dwellings, other than Rodney Salfer and Virginia Salfer, are located within one-half (1/2) of a mile of the Conditional Use. Virginia Salfer has signed the CUP application as the landowner. The nearest third party residence to the site is that of Edward & Beth Goblirsch located at 25757 Ideal Avenue, 3480 feet northwest of the site. Additionally, the Conditional Use is located 3815 feet north of the residences in Johnsons Addition in the City of Wabasso. The residence of Charles & Marilyn Daub located at 26628 260th Street is 4020 north of the site.
7. The conditional use is located 900 feet from Judicial Ditch 36, Lateral 2A, to the east. A County tile main runs to the southwest and south of the site, about 200 feet away at the closest point.
8. Surface water runoff from the site goes north into the grove and into a tile intake on the southeast corner of the machine shed.
9. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Rodney Salfer was present to explain the project. Salfer made the following statements to the Planning Commission:

- Salfer has been operating the business for a few years. It started small and has since grown.
- The business is a welding shop for repair and fabrication of grain handling facilities.
- The business has two full time staff.
- The business is not growing or adding staff or facilities under the permit, just permitting what is already there.

Land Use & Zoning Supervisor Brozek provided the following information:

- Salfer must provide adequate off-street parking and building accessibility.
- Building inspection is required for accessibility.
- No opposition to the project has been voiced to staff.
- The existing storage shed that does not meet the setback should not be used for the business in the future, the business can and should meet all setbacks.

Chair Scheffler inquired if anyone was present to support the project. No one came forward.

Chair Scheffler inquired if anyone was present to oppose the project. No one came forward.

Chair Scheffler closed the public hearing at 1:08 pm.

Chair Scheffler led the Planning Commission through filling out the Commissioner’s individual finding of facts worksheets (attached).

Mattison made a motion to recommend approval of Conditional Use Permit application #11-16, subject to the conditions proposed by staff. Madsen seconded the motion and it passed unanimously.

Chair Scheffler informed the audience that the application would go before the County Board of Commissioners on October 4, 2016.

At 1:13 p.m. Chair Scheffler called to order a public hearing on an Animal Confinement Conditional Use Permit submitted by Keith Schaefer.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the Schaefer application:

1. Mr. Schaefer is seeking to re-permit an existing feedlot site for a different animal type and for the construction of permanent manure storage structures on the following described property, situated in the County of Redwood, State of Minnesota, to wit: The Northwest Quarter of the Southeast Quarter of Section 5, Township 110 North, Range 34 West, Brookville Township.
2. Section 17, Subdivision 3.1.F. of Redwood County Ordinance requires that a Conditional Use Permit be obtained “[w]henver any existing or proposed feedlot operation proposes the construction of a manure storage structure.” Furthermore, Subd. 3.1.G. requires a Conditional Use Permit “[w]henver there is proposed to be a change in animal type at an existing feedlot.” Consequently, both the construction of the stacking slabs and the change from beef to dairy cows trigger the requirement for a new CUP in this case.
3. The feedlot site was formerly owned and permitted by Roger Gilland, who sold it to Mr. Schaefer several years ago. The current county and state permitting is for 975 slaughter steers/heifers. The new permit is proposed to be for 1,540 dairy heifers in the following structures (all existing): 50’x120’ partial confinement barn, 42’x336’ partial confinement barn, 42’x448’ partial confinement barn, 140’x180’ open lot, 42’x336’ open lot, 42’x448’ open lot, and 50’x240’ total confinement barn with slatted floor.
4. Manure will be collected and stored in the following, mostly new proposed, structures: 36’x240’x10’ under-floor concrete pit (existing), 96’x110’ concrete stacking slab, 62’x340’ concrete stacking slab, 62’x450’ concrete stacking slab, and three 20’x20’x8’ in ground concrete tanks. The stacking slabs will also be used to collect all contaminated feedlot runoff and will include collection sumps to collect drainage from the slabs themselves. The stacking slabs will have 10’ tall, 10” thick 4000 psi concrete end walls reinforced with #5 vertical and #4 horizontal rebar 12” on center. The walls will be supported by 1’-10” x 10” concrete footings. The 6” poured concrete floors will be reinforced with #4 rebar 18” on center each way. The runoff collection tanks will have 8’ tall, 8” thick sidewalls with #4 rebar 12’ on center each way set on 20”x8” and 18”x8” footings. The tank floors will be 5” poured concrete reinforced with #4 rebar 18” on center each way.
5. Manure will be applied to 273 acres of nearby tillable farm land owned by Mr. Gilland and rented by Mr. Schaefer, located in Brookville Section 5 and Morgan Section 32.
6. The three nearest dwellings to the feedlot site are as follows: Alan Madsen, 21559 Ranch Avenue, about 1450 feet northeast of the site; Nancy Blick et’al, 21159 Ranch Avenue, about 1740 feet southeast of the site; and Mark & Lynn Madsen, 21120 Prairie Avenue, about 1900 feet southwest of the site. Three additional dwellings are located about a half mile from the site (2500 feet), including Garry Steinhaus (41229 215th Street), Steven & Brenda Kotten (21088 Prairie Avenue), and Mark Gilland (20902 Ranch

Avenue). A house on the feedlot site itself is owned by Mr. Schaefer and used as living quarters for two feedlot employees.

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

Keith Schaefer and Jeff Bauman were present to explain the project. Schaefer and Bauman made the following statements to the Planning Commission:

- Schaefer raises dairy heifers on the existing feedlot site.
- Animal units increased to over 1000.
- Will construct stacking slabs to permanently stockpile manure on site.
- They are reapplying for an NPDES permit from the MPCA. Former owner Roger Gilland had an NPDES for the site but decreased the Animal Units to less than 1000 and allowed the NPDES to lapse.
- The stacking slabs will accumulate scraped manure and surface water runoff from each of the partial confinement barns. Each slab has a leachate pit to collect and drain off liquid from the solid manure stacks.
- Slab sizes were determined by the need to meet the well setback.
- No silage will be stored on site.
- No new animal housing areas are being constructed.

Land Use & Zoning Supervisor Brozek provided the following information:

- Brozek spoke with Brent Riess at the MPCA and learned that the MPCA approves the proposed manure handling.
- If Schaefer wants to construct a silage storage structure on the site in the future, he would not need to update the CUP, but would need a building permit.

The Planning Commissioners questioned Schaefer and Bauman regarding some of the permit details and Schaefer and Bauman provided the following clarifications and responses:

- 1870.75 acres are available for spreading the manure, all in the local area.
- Manure is currently spread in the fall and the spring, but Schaefer is trying to get away from spring application and spread only in the fall. The construction of the stacking slabs will provide enough storage so that the manure need only be applied once per year.
- The permit conditions do not address manure application on frozen ground, however state rules limit such spreading in connection with phosphorus index rates and slope (not allowed where grade is over 6%).

Madsen stated that the stacking slabs are a better way to handle the manure than the current setup.

Chair Scheffler inquired if anyone was present to support the project. No one came forward.

Chair Scheffler inquired if anyone was present to oppose the project. No one came forward.

Chair Scheffler asked Schaefer if he had read the proposed permit conditions and whether he agreed with them. Schaefer responded that he is ok with the proposed conditions.

Chair Scheffler led the Planning Commission through filling out the Commissioner's individual finding of facts worksheets (attached).

Chair Scheffler closed the public hearing at 1:28 pm.

Runkel made a motion to recommend approval of Conditional Use Permit application #12-16, subject to the conditions proposed by staff. Rohlik seconded the motion and it passed unanimously.

At 1:28 p.m. Chair Scheffler called to order a public hearing on an Extraction Conditional Use Permit submitted by Doug Riederer of Mathiowetz Construction o/b/o landowner Roger Kettner.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the Mathiowetz/Kettner application:

1. TNT is seeking to re-permit a former gravel pit on property owned by Kettner Family LLP (Roger Kettner) located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 15, Sherman Township. The land was previously mined by Mathiowetz under CUP #132, which expired in 2006.
2. The property is located on the east side of County Highway 2, across from Dacotah Ridge Golf Club. The site is located in the Agriculture District. Mining is a Conditional Use in said District, per Redwood County Ordinance Section 7, Subdivision 3, Paragraph 6.
3. Approximately 9.5 acres of the 40-acre site will be mined and/or used for mining processes and stockpiling. The sand material extracted from the site will be used to construct the City of Morgan sewage lagoon project. This will include stockpiling and hauling. Mathiowetz is requesting a 3 year permit.
4. The site will be set back about 125 feet from the center line of County Highway 2. Existing access road from County Highway 2 will be used to access the site.
5. Topsoil will be scraped and stockpiled for reclamation of the site when the project is complete. Fill material will be brought in from the Morgan lagoon project site and used in the reclamation process (backfilling). All areas will be sloped to maximum of 3:1 and seeded with a pasture mix. The bottom elevation of the pit when reclaimed will be 967'. The cost of reclamation listed on the application (\$50,000) includes an estimated \$35,000 in trucking costs to move the fill material from the Morgan lagoon site.
6. There is no county ditch or tile in the area.
7. The three closest residential dwellings to the site are as follows: Roger & Sandra Kettner, 30691 County Highway 2, about 1800 feet south of the site; Thomas & Mary Colwell, 43928 395th Street, about 2500 feet southeast of the site; and a site owned, but not occupied, by Catherine Crain, 43249 305th Street, about 2600' north of the site. The next nearest building sites are located well over ½ of a mile away from the proposed pit site.
8. The site is about 1300 feet east of the Dacotah Ridge Golf Club clubhouse. The closest part of the course to the proposed pit site is the driving range, the eastern edge of which is 420 feet from the pit site. However, the driving range tee-off is on the opposite (western) end, about 1100 feet from the pit site.
9. The soils present on the site are listed as "pits, gravel."
10. Mathiowetz has provided a reclamation bond in the amount of \$20,000 and a certificate of liability insurance for the site in the amount of \$1,000,000 per occurrence and \$2,000,000 general aggregate.

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

Doug Riederer and Brett Mathiowetz were present to explain the project. Riederer and Mathiowetz made the following statements to the Planning Commission:

- Mathiowetz was awarded the City of Morgan wastewater project.
- For the Morgan project, Mathiowetz needs 50,000 tons of aggregate.
- In order to get the needed aggregate Mathiowetz is seeking to reopen the Roger Kettner pit for a three year period.
- Mathiowetz formerly permitted the Kettner pit but said permit has lapsed.
- When the Morgan wastewater project is done, Mathiowetz may use the pit for the Morgan streets project, if they receive the contract for that project.
- The memorandum prepared for the Planning Commission by staff contains an error in the first paragraph – it states that TNT is proposing to re-permit the Kettner pit. It should say that Mathiowetz is so seeking.
- The proposed conditions are fine with Mathiowetz.
- The pit will be operated from 7 am till 7 pm 5 days a week, Monday thru Friday, and on Saturdays till 3 pm when needed.
- Some reclamation of the pit will be done with topsoil and fill material trucked back to the pit from the Morgan project site.
- Water use on the site will be minimal. A small pond will be created as part of the reclamation on the north end of the pit. The pond will contain water seasonally, probably not year-round.
- Reclamation will include squaring off the pit boundaries and sloping the edges to no greater than 3:1 slope. Some elevations shown on the plans may be subject to change, but the excavation will go no deeper than indicated in the plans. The bottom of the pit is clay, which is not needed for the project and will not be excavated.
- The elevations of the excavation of the pond will be no deeper than the existing pond on the site.
- After reclamation, Kettner will use the pit site as a calving area (as he does currently).
- Riederer spoke with Todd Schouvieller from the Sherman Township Board regarding road maintenance. Schouvieller has no concern about maintenance since the pit is located on a county road.
- Riederer did not speak with County Highway Engineer Willy Rabenberg about road maintenance.
- Mathiowetz will place signs on County Road 2 warning of trucks entering.

Chair Scheffler inquired if anyone was present to support the project. No one came forward.

Chair Scheffler inquired if anyone was present to oppose the project. No one came forward.

Chair Scheffler led the Planning Commission through filling out the Commissioner's individual finding of facts worksheets (attached).

Chair Scheffler closed the public hearing at 1:38 pm.

Madsen made a motion to recommend approval of Conditional Use Permit application #13-16, subject to the conditions proposed by staff. Rohlik seconded the motion and it passed unanimously.

At 1:39 p.m. Chair Scheffler called to order a public hearing on an Extraction Conditional Use Permit submitted by Doug Riederer of Mathiowetz Construction o/b/o landowners Charlie Neitzel and Dale and Karen Hansen.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the Mathiowetz/Neitzel/Hansen application:

1. Mathiowetz Construction is seeking to spread topsoil material potentially on two properties, one owned by Dale & Karen Hansen described as Part of the Southeast Quarter & part of the Northeast Quarter (PT OF SE1/4 & PT OF NE1/4) all lying north of the railroad right-of-way and south of the center line of County Ditch 109 (N OF R/R R/W & S OF CTR LN CD 109), in Section 8, Township 111 North, Range 34 West, Morgan Township; and one owned by Charles Neitzel described as the North Half of the Southwest Quarter (N1/2 SW1/4) of Section 9, Township 111 North, Range 34 West, Morgan Township.
2. Mathiowetz proposes to apply excess topsoil from the Morgan sewage pond project to one or both of the above described properties. The subsoil on the Morgan project site will all be used on site to construct the ponds or will be trucked to the Kettner pit for reclamation. However, there will be approximately 40 to 50 thousand yards of excess topsoil which will not be needed for the Morgan project and which will need to be removed to construct the ponds. The topsoil material will be applied, probably to one or the other (to be determined) of the Neitzel or Hansen properties to a depth ranging from 1 foot to 7 feet. The total number of acres to be filled is approximately 15 to 20. This is expected to take place over a period of 3 to 9 months between October of 2016 and October of 2017.
3. The Neitzel property is directly north of the Morgan project site and the material can be moved from one to the other without using the public roads. However, the Hansen property is on the opposite side of both Ranch Avenue and County Ditch 109 from the Morgan project site. Mathiowetz is working with the ditch authority to construct a temporary or permanent ditch crossing over CD 109 so that the material can be moved to the Hansen property without taking it out to State Highway 67. If a crossing is constructed, the material will be hauled across Ranch Ave. and across CD 109 to Hansen's field.
4. As the material is applied it will be sloped, graded and tilled and returned to agricultural use.
5. County tile on the sites will be monitored and avoided. Private tile will be monitored and replaced if needed.
6. The soils present on the sites are as follows:
 1. Normania loam, 1 to 3 percent slopes
 2. Webster clay loam, 0 to 2 percent slopes
 3. Okoboji silty clay loam, 0 to 1 percent slopes
 4. Canisteo clay loam, 0 to 2 percent slopes
7. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Doug Riederer and Brett Mathiowetz were present to explain the project. Riederer and Mathiowetz made the following statements to the Planning Commission:

- This permit is to haul and spread on the land the strippings from the Morgan wastewater project.
- The strippings will either be hauled north from the Morgan project site to the Neitzel property (adjacent to the project site), or west to the Hansen property.
- The strippings will be used to fill in low lying areas of the property
- Mathiowetz is working with the ditch authority to place a ditch crossing on CD 109 for better access to the Hansen property.

Land Use & Zoning Supervisor Brozek explained that the CUP was needed for the project because they were hauling and spreading more than 10,000 yards of material, which triggers an automatic CUP under the Ordinance.

Madsen asked whether the surface water drainage on the Neitzel and Hansen properties will be changed. Mathiowetz explained that there will be no change because the elevation of the land surrounding the low areas to be filled is not changing.

Chair Scheffler inquired if anyone was present to support the project. No one came forward.

Chair Scheffler inquired if anyone was present to oppose the project. No one came forward.

Chair Scheffler closed the public hearing at 1:49pm.

Chair Scheffler led the Planning Commission through filling out the Commissioner's individual finding of facts worksheets (attached).

Madsen made a motion to recommend approval of Conditional Use Permit application #14-16, subject to the conditions proposed by staff. Mattison seconded the motion and it passed unanimously.

The Commissioners reviewed and discussed the minutes from the August 29th Planning Commission meeting. On a motion by Runkel seconded by Rohlik the minutes from the August 29th Planning Commission meeting were unanimously approved.

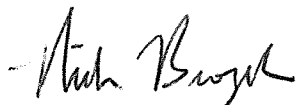
Zoning Administrator Wold reported on land use training that he and Brozek had attended.

Staff reported that the regularly scheduled October Planning Commission meeting will be held on the 31st at 1:00 pm.

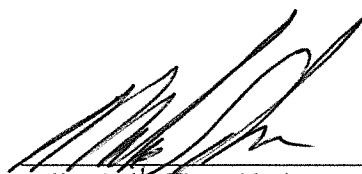
Brozek reported that one application had been received for the October meeting, with one more expected to be received by the deadline.

Walling and Brozek reported on a complaint received and investigated regarding damage to the township road at the Boerboom Ag feedlot site under construction in Underwood Township.

On a motion by Madsen, seconded by Rohlik, and passed unanimously, the meeting was adjourned at 2:05 p.m.



Nick Brozek
Land Use & Zoning Supervisor
Redwood County Environmental Office



Mike Scheffler, Chair
Redwood County Planning Commission

Redwood County Planning Commission Meeting

Date: September 26, 2016

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