

MINUTES
Blue Earth County Planning Commission
Regular Meeting
Wednesday November 2, 2016
7:00 p.m.

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Vice Chairman Kurt Anderson. Planning Commission members present were Bill Anderson, Kurt Anderson, Kip Bruender, Chuck Grams, Barry Jacques and Joe Smentek. County staff members Aaron Stubbs and George Leary were also present.

2. APPROVAL OF MINUTES

Mr. Jacques made a motion to approve the minutes from the October 5, 2016 Regular Planning Commission Meeting. Joe Smentek seconded the motion which carried unanimously.

3. AGENDA APPROVAL

Mr. Leary indicated there was no change to the agenda.

4. NEW BUSINESS

PC 28-16

Duane and Gloria Hubmer - Request for review and approval of the Final Plat of Hubmer Subdivision, a Subdivision Plat consisting of one lot and one outlot. The property is zoned Agricultural and is located in a portion of the Northwest Quarter of the Southeast Quarter Section 21, McPherson Township lying southwest of State Hwy 83.

Mr. Leary presented the staff report.

The applicants were present and had no additional comment.

There was no other public comment.

Mr. Smentek, Mr. Jacques and Mr. Grams all indicated they had no questions regarding the request. Mr. Kurt Anderson commented that the proposal was thoroughly reviewed with the submittal of the preliminary plat.

There were no other questions or comments from the Commission.

Mr. Bruender made a motion to forward to the County Board, a recommendation of approval of the request based on the findings presented by staff. Mr. Bill Anderson seconded the motion and the motion carried unanimously.

PC 29-16

Lance Goettl - Request for review and approval of a Conditional Use Permit to construct and operate one new total confinement swine finishing facility capable of holding 2,400 finishing pigs (960 County Assigned Animal Units). The proposal will utilize a below-barn liquid manure storage area. The site is zoned Agricultural and is located in part of the Southern Half of the Southwest Quarter of Section 5, Butternut Valley Township.

Mr. Stubbs presented the report.

The applicant was present and had no additional comment.

Mertinsia Wunderlich addressed the Commission. Ms. Wunderlich expressed her concerns with the proposal. She indicated the proposal would add pig barn number eight within a three-mile radius of her house. She added that she is within 3/10^{ths} of a mile from Brown County so she has to contend with Blue Earth County feedlot regulations and Brown County regulations. Ms. Wunderlich stated that even with the controls in place for air pollution, it cannot be contained. Ms. Wunderlich asked if there had been a hydrologist report concerning water usage vs. the water table. She added she had talked with a well contractor who advised her of a recent well that went down to 400 feet. With the number of barns in the area, she questioned the need for another. Ms. Wunderlich commented on item j of the standards for granting a conditional use permit which includes a statement that the use will not impact the enjoyment of other property. She asked how she is to enjoy her property with all of the pig barns in the neighborhood. She also asked if there is a limit on the number of pig barns in an area.

Tom Rieff, a neighboring property owner, indicated he had no issue with the request.

There was no further public comment.

The Chair referenced the well comments provided by Environmental Health Staff that indicate the applicant is to obtain a DNR Water Appropriations Permit prior to placement of pigs in the barn. Mr. Anderson asked if this was correct.

Mr. Leary replied that the applicant is required to submit information to the DNR and the DNR will determine if a Water Appropriations Permit is required.

Mr. Kurt Anderson advised Ms. Wunderlich that her concern with the water table is taken seriously and as part of the permitting process, the applicant will have to work with the DNR. Mr. Anderson also commented on the density of livestock operations in the area. He added that the applicant is not the owner/operator of all of them. He is an individual and we are all entitled to the use and enjoyment of our property. He added that there a number of regulations that applicants for feedlot permits have to go through to obtain approval and the guidelines for approval are given a lot of thought. Mr. Anderson continued with an overview of the site plan pointing out the proposal meets the required setbacks and that the applicant has put in a longer driveway to meet those setbacks. Mr. Anderson opined that the applicant has demonstrated a desire to be a good neighbor and to go above and beyond the requirements to help mitigate the impact on neighboring property owners.

Mr. Bruneder agreed with the summary provided by Mr. Anderson.

Mr. Smentek was also in agreement with Mr. Anderson. He acknowledged the concerns expressed by Ms. Wunderlich adding they are valid concerns. Mr. Smentek recognized that that most of her

concerns are outside the authority given to the Planning Commission. As a result, they look at the surrounding land uses and that it is zoned agricultural. In this case have the setbacks been met and is this an appropriate use in the agricultural zone? According to the county ordinance, it is. There is nothing in the ordinance that addresses feedlot density. Mr. Smentek opined that the County Board could address the concerns that have been raised, but it is not a function of the Planning Commission.

Mr. Bill Anderson concurred with Mr. Smentek. He acknowledged the concerns of living near this type of operation. Mr. Anderson indicated that the proposal is not far from requiring environmental review as part of a state permitting process. He opined that as proposed, it is likely this project would meet that criteria of the environmental review process. He stated that it is zoned agricultural and that he was in favor of the proposal.

Mr. Grams stated the guidelines are being followed, the application is complete and he had no further questions.

Mr. Jacques agreed with comments made by the other Commission members.

There were no other questions or comments from the Commission.

Mr. Smentek made a motion to forward to the County Board, a recommendation of approval of the request based on the findings presented by staff. Mr. Bill Anderson seconded the motion and the motion carried unanimously.

5. **OTHER BUSINESS** – There was no other business.

6. **ADJOURNMENT**

There was no further business. Mr. Smentek made a motion to adjourn the meeting which was seconded by Mr. Grams and the meeting was adjourned at 7:38 p.m.

Planning Commission Chair

Date

Planning Commission Secretary

Date