

Applicant

Mike Wolff
21245 622nd Ave
Eagle Lake MN 56024

Request and location

Request to construct one total confinement swine finishing barn capable of holding 1,050 finishing hogs or 420 Animal Units and to increase the total animal units for the site to 936 animal units. The site is located in the SE ¼ of the SW ¼ Section 14, LeRay Township.

Legal Description

The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) and the West 25 acres of the South Half (S ½) of the Southeast Quarter (SE ¼) all in Section Fourteen (14), Township One Hundred Eight (108) North, Range Twenty-five (25) West, Blue Earth County, Minnesota, EXCEPT that part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) in Section Fourteen (14), Township One Hundred Eight (108) North, Range Twenty-five (25) West, shown as Parcel 9B on Minnesota Department of Transportation Right of Way Plat Numbered 07-62 as the same is on file and of record in the office of the County Recorder in and for Blue Earth County, Minnesota, containing 0.09 acre, more or less, AND EXCEPT the South 8 feet of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼), in Section Fourteen (14), Township One Hundred Eight (108) North, Range Twenty-five (25) West, Blue Earth County, Minnesota.

And

The South 8 feet of the Northeast quarter of the Southwest quarter and the South 8 feet of the West half of the Northwest quarter of the Southeast quarter all in Section 14, Township 108, Range 25.

Zoning

Agricultural

General Site Description and Project Proposal

The current parcel consists of 64.88 acres. The parcel consists of the applicant's home, storage buildings and existing hog buildings. This parcel has a current feedlot permit. In 2004 a variance was approved from the house to the North to the hog barns for a reduction in the feedlot to dwelling setback from 1,500 feet to 430 feet. If approved, the applicant intends to replace one total confinement swine finishing barn that accommodates 1,100 finishing hogs or 440 animal units and construct one new total confinement swine finishing barn that will accommodate 1,050 finishing pigs or 420 animal units. The replacement barn dimensions will not change, they will remain at 41 x 220 feet and the manure storage structure will remain in place. The new barn will have the dimensions of 51 feet x 168 feet. Manure and wash water from power washing the pens will be stored in a reinforced concrete storage pit located beneath the barn. The applicant will be demolishing an inefficient 'H' shaped barn between the house and an existing barn if this request is approved. This process will be done within one year or sooner. The total animal units for the site once the new barn is built and the removal of the old barn has taken place will be 936 animal units.

Land Use Plan

The Conditional Use is consistent with the goals and policies established in the Blue Earth County Land Use Plan.

Existing Land Use, ½ Mile

North: Crop land, one resident (520 feet from the NE Barn) and County Road 48.

East: Crop land and a wetland.

South: Crop land, one resident (1,015 feet from the SW Barn) and County Road 48.

West: Crop land and County Road 48.

Access Road

Access to the site will be to and from County Road 48.

MANURE MANAGEMENT – The applicant has submitted a manure management plan that meets MPCA requirements.

Manure Storage Capacity of the Proposed Pit

Manure Storage Capacity: 1,000,000+ gallons.

Storage Capacity (240 days required): 365+ days provided

Method of Manure Application

Manure from this site will be applied to agricultural fields by injection. When necessary, the manure may be surface applied.

NATURAL RESOURCES INFORMATION

Predominate Soils

Le Sueur Clay Loam: 1 to 3% slopes, moderately well drained, not highly erodible land and depth to the seasonal high water table is less than 6 feet.

Webster Silty Clay Loan: 0 to 2% slopes, poorly drained, not highly erodible land and depth to the seasonal high water table is less than 6 feet.

Area Water Features

There are no rivers, streams, lakes, or ditches within 1,000 feet of the proposed barn.

There are a number of farmed wetlands in the area. To the east of the purposed barn there is wetland named Goolsbey.

Flood Plain

The proposed facility is not located in a flood plain.

Tile Inlets

There are no open tile intakes within 1,000 feet of the proposed barn.

Depth to Bedrock

Depth to the bedrock is approximately 250 feet, according to the Geologic Atlas for Blue Earth County.

Township Review

In an email dated January 14, 2012, the LeRay Township Board indicated they had no objection to the proposal as long as the applicant follows all County and State regulations.

Staff Comments

See attachment A-3.

Standards for Granting a Conditional Use Permit (Section 24-466 of the Code of Ordinances) Staff believes the request will meet the following standards required for the granting of a conditional use permit:

1. That the proposed use conforms with the county land use plan.
2. The demonstrated need for the proposed use.
3. That the proposed use will not degrade the water quality of the county.
4. That the proposed use will not adversely increase the quantity of water runoff.
5. That soil conditions are adequate to accommodate the proposed use.
6. That the proposed use does not create a potential pollution hazard.
7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.
10. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
11. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.
12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

NA 13. That the density of proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable zoning district.

NA 14. That the intensity of proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district.

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals and general welfare.

RECOMMENDATION

Staff recommends **approval** for Conditional Use Permit PC 06-12 to construct one total confinement swine barn and increase of animal units for the site to 936 AU, contingent upon the following conditions:

1. That the total confinement barn conforms to the site plan attached to this report PC 06-12.
2. That the feedlot be located on a single, legally described parcel consisting of a minimum of 10 contiguous acres. The parcel shall be a parcel of record, properly recorded in the Blue Earth County Land Records Office.
3. That the applicant must obtain a Blue Earth County Feedlot Permit before any animals are placed in the barn.
4. That the applicant obtains a Blue Earth County Construction Permit before building begins and within one (1) year from the date the County Board of Commissioners approves the Conditional Use Permit. The permit shall be rendered invalid if application for a Construction Permit is not made within this one (1) year period. Time extensions for Conditional Use Permits must be obtained from the County Board of Commissioners subsequent to a public hearing conducted by the Planning Commission.
5. If required by the Department of Natural Resources, the applicant shall obtain a DNR "Water Appropriations Permit" before any animals are placed in the barn.
6. That a perimeter footing drain tile be located at or below the bottom of the pit footings. The footing tile shall include one inspection pipe for each concrete pit. The native materials must be excavated and walls back filled with granular material (pit run gravel or equivalent). *Exceptions to this may only include specific design standards submitted by the design engineer of the manure storage structure.*
7. That application of manure is on the land documented in the aerial photos included in the State of Minnesota Application for Construction and Operation of an animal

feedlot. The application of manure shall comply with standards set forth by the MPCA. This plan must be reviewed by the operator each year and updated each year and adjusted for any changes in the amount of manure production, manure nutrient test results, fields available for receiving manure, crop rotations, or other practices which affect the available nutrient amounts or crop nutrient needs on fields receiving manure as required by the MPCA. Records of manure application shall be maintained as required by the MPCA. Manure application setback standards for the fields on which the manure is applied shall be followed as required by the MPCA and the County.

8. That the disposal of dead animals be consistent with the Minnesota Board of Animal Health regulations, and when rendering is used as a mortality disposal the applicant shall provide an enclosed location for the pick-up.
10. That adequate measures be taken to minimize or control offensive odor, fumes, dust, noise, or vibrations so that none of these will constitute a nuisance.
11. That all manure storage structures must be designed by a registered engineer.
12. That the applicant will furnish the final construction report to Environmental Services verifying that the concrete manure storage structure was constructed per approved engineered design plan within 60 days of completion of any new or modified manure storage area. Said construction report shall be signed by the design engineer.
13. That the applicant complies with the storm-water control requirements established by the MPCA.
14. That all exposed earthen surfaces be seeded into grass or utilized as crop acreage.
15. If shower, restroom, culinary and/or laundry facilities are to be included with the proposal, that wastewater handling practices are designed and constructed according to state requirements.

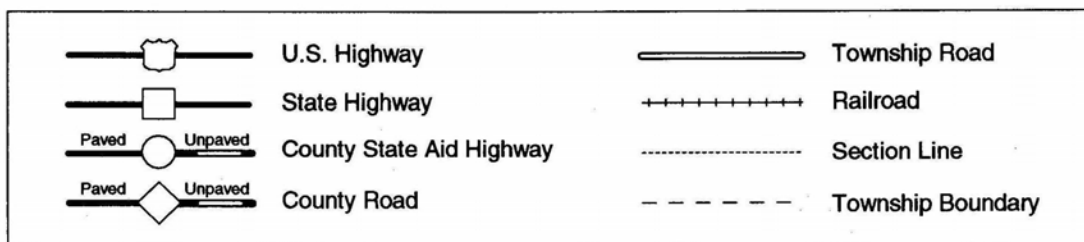
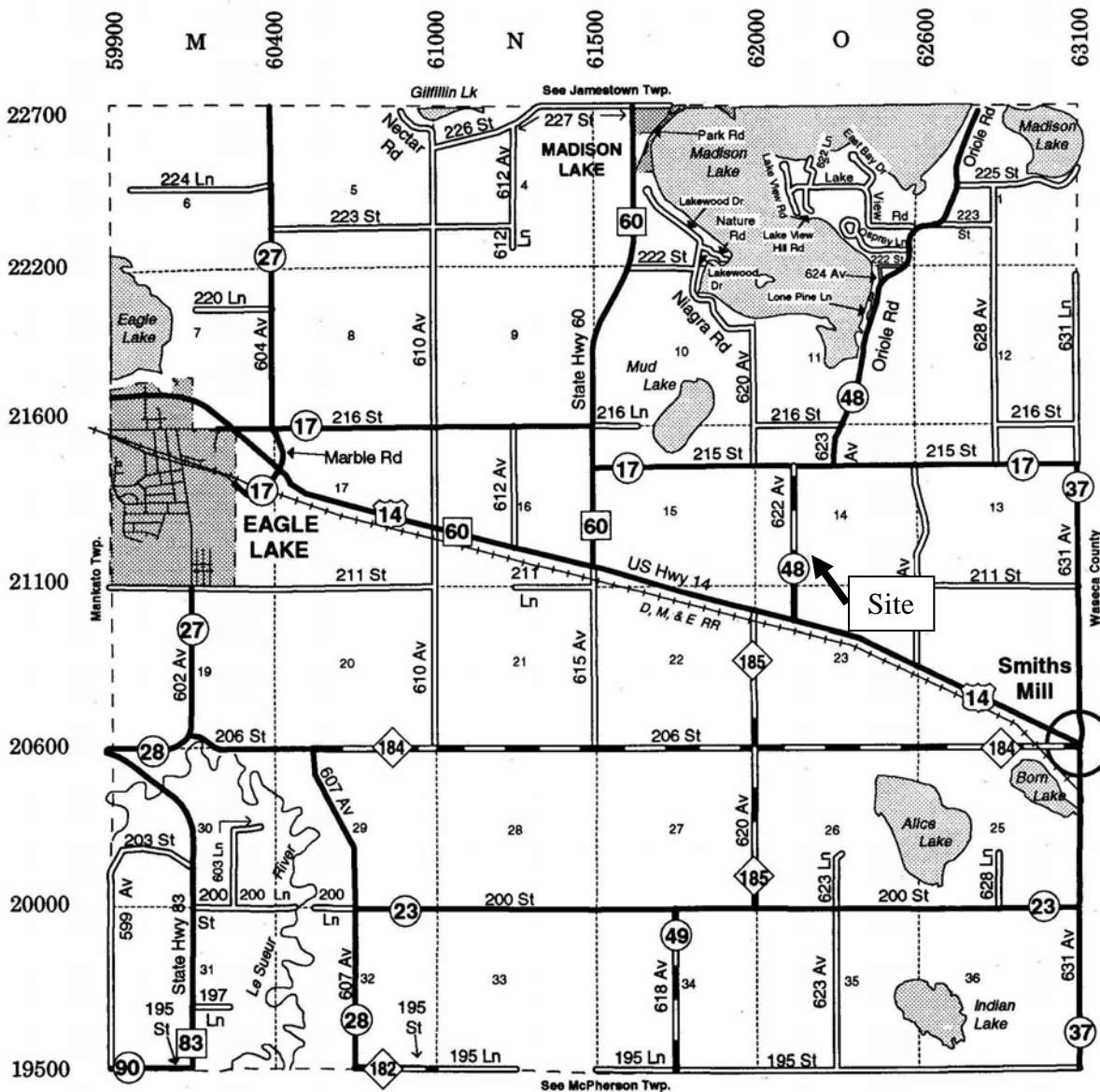
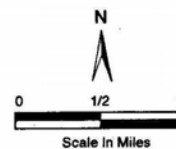
ATTACHMENTS

- A-1**, General Location Map
- A-2**, Site Plan
- A-3**, Environmental Health Comments
- A-4**, Manure Application Setbacks

Attachment A-1 General Location Map

Le Ray

T 108 N - R 25 W



A-2
Wolff-Expansion of Feedlot



Disclaimer: This map was created using Blue Earth County's GIS and was created for specific internal County uses. It is intended to be used for reference purposes only and does not represent a land survey. No liability is assumed for the accuracy of the data delineated herein, either expressed or implied by Blue Earth County or its employees.

BLUE EARTH COUNTY
ENVIRONMENTAL SERVICES

*Government Center, 410 South Fifth Street
P.O. Box 3566, Mankato, Minnesota 56002-3566
Phone: (507) 304-4381 Fax: (507) 304-4431*

Environmental Health Section - Planning Application Reviews

Date Printed:	February 16, 2012	Permit Number:	PL2012012
Property Owner:	WOLFF MICHAEL P & TERRI L	Applicant:	WOLFF MICHAEL P & TERRI L
Parcel Number:	R39.10.14.300.012	File ID:	PC 06-12

Application Description: Request to construct one total confinement swine finishing barn capable of holding 1,050 finishing hogs or 420 Animal Units and to increase the total animal units for the site to 936 animal units. The site is located in the SE ¼ of the SW ¼ Section 14, LeRay Township.

Septic Review

Status: Complete - Comments Received

Comments: Location of the septic system in the site plan is correct. A compliance inspection indicated that the 1996 septic system is compliant. This inspection is valid until 04/05/2014. The location of the barn should not have any impact to this system or any replacement system for this property based on the proposed location. No bathroom/shower/laundry facilities are proposed for the new barn. If at any time there is an installation of a bathroom/shower/laundry facility in this or any other barn, a septic system would need to be designed and installed for that waste stream as the comingling of sewage and manure is not allowed. P. Otterness 02/10/2012

Well Review

Status: Complete - Comments Received

Comments: The enclosed site plan indicates a well in-use and a sealed well. A review of the County records indicates that the new well, unique # 504552, was drilled in 1989 with the sealed well, unique # H79124, also sealed in 1989. Based on the known well information for this property the proposed construction of a new hog building should not have a negative impact on the well situation on this property.

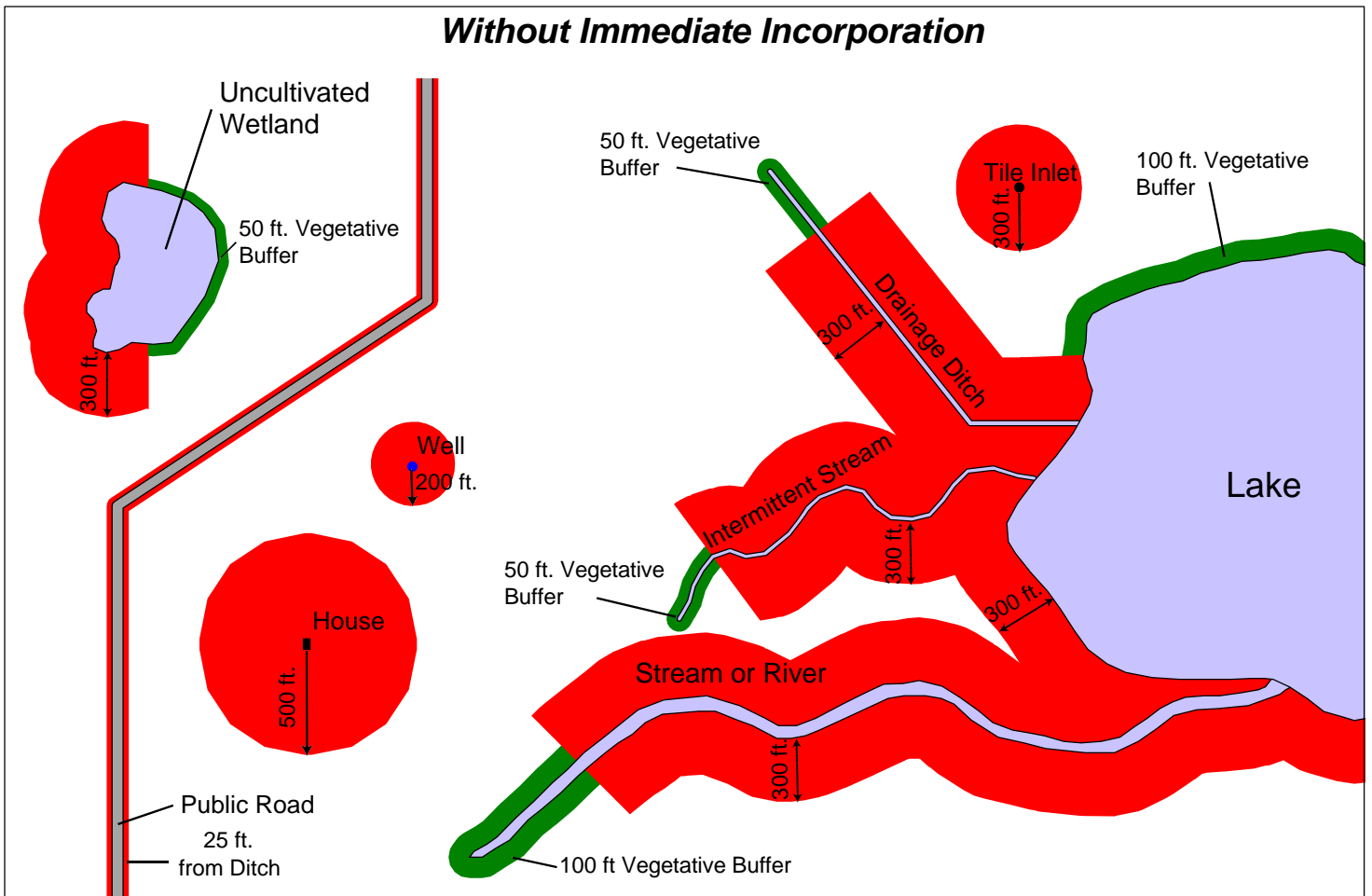
Wetland Review

Status: Complete - Comments Received

Comments: There is a large wetland on the east end of this property. The location of the new structure will not impact this wetland, however because there will be drain tile around the pits of this new structure there is a lateral effect setback distance to the wetland from these drain tile of 100 ft. This setback is based on the soil type. The proposed site plan showing the location of these barns meets this required setback. Proper maintenance and inspection of these drain tile and pits must be performed to ensure that no manure is leaking and then being delivered to this wetlands. The applicant must also use proper erosion control and BMP's to ensure that all runoff and erosion during and after construction is kept in the proposed area and will not impact the wetland. S. Feser 02/08/2012

Blue Earth County Manure Application Setbacks

Without Immediate Incorporation



When Incorporated Within 24-Hours

