



Sibley County Zoning

Property Assessing & Zoning Department
400 Court Avenue - P.O. Box 532
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**Sibley County
Planning & Zoning Commission
Public Hearing Minutes
September 9, 2019**

The Sibley County Planning & Zoning Commission convened at the Sibley County Courthouse, Gaylord, Minnesota on Monday, September 9, 2019 at 6 p.m. pursuant to notice given as required by law.

Members of the Planning & Zoning Commission Present: Joy Cohrs, Bruce Froehlich, Bruce Lilienthal, Darrel Mosel, Todd Mesker, Brad Perschau

Members of the Planning & Zoning Commission Absent: Terry Morrison

Also Present: Laura Hacker, County Assessing; Ryan Krzos, Property Assessing and Zoning; David Schauer, County Attorney; Geoff Beranek, Property Assessing and Zoning

Guest Present: Renae Sommer, John Sommer, James Mayer, Jim Sallstrom, Mike Mueller, Mary Mueller, Delbert Trebbensee, Martin Jaus, Fritz Busch, Michael Rein, Kally Goschke, Jeff Bussler, Lois Bussler, Nathan Sommer, Bryan Sommer, Shari Ackerman, Matthew Berger, Paul Platz, Kevin Wenninger, Barbara Pumper, Jim Evenson, Rosemary Arhart, Tony Arhart, Steph Thorsen, Joe Dies, Steve Saxton, Marlin Rose, Danny Busche, Ardis Husfeldt, Arlin Nelson, Adam Stegeman, Delayne Pagel, Randy Byro, LeAnn Byro, Bobbie Harder, Michael Mattison

The meeting was called to order by Commissioner Lilienthal.

The minutes from the August 5, 2019 Planning and Zoning Commission and Board of Adjustment meeting were introduced by Commissioner Lilienthal. A subsequent motion to approve the Planning and Zoning Commission minutes was made by Joy Cohrs; Seconded by Brad Perschau and passed unanimously.

The public hearing was opened for discussion.

Commissioner Lilienthal introduced Old Business for discussion.

Conditional Use Permit (CUP) #1151: Consider the application submitted by Bryan Sommer for a CUP to establish a commercial feedlot within the A – General Agriculture Zoning District. This request applies to the property located along State Highway 19, Winthrop, MN 55396, PID #10.3407.000.



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Conditional Use Permit (CUP) #1152: Consider the application submitted by Nathan Sommer for a CUP to establish a commercial feedlot within the A – General Agriculture Zoning District. This request applies to the property located along 571st Avenue and 276th Street, Winthrop, MN 55396, PID #10.3408.010.

Ryan Krzos introduced the Conditional Use Permits and provided background information on the proposed permits and communicated the Minnesota Environmental Quality Board had determined that an Environmental Assessment Worksheet was not required for the proposed projects.

Tony Arhart commented on both CUP applications in general; requesting that the proposed CUPs be denied. He commented that the neighboring properties should not be so close to the proposed feedlots and the negative effects the feedlots would have on the enjoyment and value of neighboring properties due to odor and flies. Tony stated the CUPs would only benefit a few people.

John Sommer commented on both CUP applications in general; stating his experience and the process involved with building pitted hog barns and the Minnesota Pollution Control Agency and an engineer's involvement in the process. He spoke to the land application process of manure and agronomic rates of the manure application.

Steph Thorsen commented on both CUP applications in general; about the air quality concerns she has for her home and seasonal business in Winthrop. She inquired what could be done before the projects are complete to address air quality concerns.

Shari Arhart Ackerman commented on both CUP applications in general; inquired about the Findings for Conditional Use Permits, shared the responses she received about the devaluation of the Arhart property from realtors if a hog barn is built.

Martin Jaus commented on both CUP applications in general; stating the issues he and his wife have had living near confined hog barns that were built in the past year.

Mike Mueller commented on both CUP applications in general; commenting on the ordinance and setback requirements and conditions that need to be met, he inquired about the locations of the barns and reasoning for proposed site locations.



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Rena Sommer commented on both CUP applications in general; commenting on concerns about odors and the safety issues regarding the proposed barns, stating the applicants would not put themselves or anyone in danger and that diversification would allow for the applicants to become more financial stable.

Rosemary Arhart commented on both CUP applications in general; stating her opposition to the CUPs, her concerns about the placement of the barns in proximity to her residence, the barns would be injurious to her property, air pollution concerns, and concerns on the community.

Paul Platz commented on both CUP applications in general; stating his experience with the permitting of his own hog operation 23 years ago, the experiences he had with his neighbors at the time and land values in close proximity to his operation, Sibley County being an agricultural community and questioning where hog barns can be built if not in rural Sibley County.

Michael Rein commented on CUP application #1151; his residence is only 1,000 feet away in the direction of the prevailing winds and the opinion offered by a realtor that his property value will decrease.

Matthew Berger commented on both CUP applications in general; he is the attorney representing the Sommers, spoke to the threshold required for an environmental review, stated that the projects are separate, the studies used in opposition to the projects are outdated, technologies to be used to control odor and pests, and property values.

The public comment period was closed and the Planning & Zoning Commission asked questions they had and commented on the proposed projects.

Bruce Froehlich questioned the setbacks required by Christianson Farms for the ¼ mile between barns. Nathan Sommer stated the requirements from the Christianson Farms website. Matthew Berger commented this is common practice for barns not under common ownership for bio-security reasons mainly.

Bruce Froehlich questioned if Bryan and Nathan Sommers operated as partnership. Bryan Sommer responded that they farmed separate.

Darrel Mosel questioned bio-security in regards to proximity to State Hwy 19. Bryan Sommer responded the few trucks hauling pigs on the highway did not create a concern.



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Darrel Mosel commented on the proximity to the neighbors and if there was a way to place the barns farther back from the neighboring properties. Bryan Sommer's response was this is where he owned and farmed enough land to make it work.

Darrel Mosel questioned how relatable the proposed barns are to a hog barn in McLeod County. Joy Cohrs commented the barn was finishing barn and the proposed barns are nurseries.

Darrel Mosel made a statement on how he would like to see the barns moved. Bryan Sommer responded with concerns about access and availabilities of utilities.

Bruce Froehlich questioned the setback requirements issued by Christianson Farms and if the township was notified. Nathan Sommer stated the setback requirements would still be in place due to the number of pigs. Bryan Sommer stated they had acquired the township notification form.

Delayne Pagel with the Bismarck Township Board, spoke to the steps, estimated costs, and potential issues with building up the minimum maintenance road on the north side of the property.

Joy Cohrs commented on the prevailing winds during the summer months and the direction in which they blow and the differences between finishing and nurse barns.

Ryan Krzos listed the Findings needing to be met to issue Conditional Use Permits for CUP #1151.

Commission Lilienthal asked for a motion for a recommendation to the County Board for CUP #1151.

A motion to recommend approval was made by Bruce Lilienthal; and seconded by Joy Cohrs and ending in 3-3 vote. Bruce Lilienthal, Joy Cohrs, and Todd Mesker voted in favor; Bruce Froehlich, Brad Perschau, and Darrel Mosel opposed.

A motion was made to refer the CUP #1151 to the County Board as a tie vote. Motion was made by Joy Cohrs; seconded by Bruce Froehlich and passed unanimously.

Ryan Krzos listed the conditions to issue Conditional Use Permits for CUP #1152.

A motion to refer the CUP #1152 to the County Board was made by Brad Perschau; seconded by Bruce Froehlich and passed unanimously.



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County Attorney Schauer stated the Conditional Use Permits will be brought before the County Board on October 8, 2019.

Geoff Beranek gave an update to the County Board's approval of Conditional Use Permit #1150.

Commissioner Lilienthal requested a motion to adjourn, motion to adjourn was made by Brad Perschau; seconded by Bruce Froehlich and passed unanimously.

Meeting was adjourned at 7:04 p.m.

Attest:



Bruce Lilienthal, P & Z Commission


Date

