

PLANNING ADVISORY COMMISSION
GOODHUE COUNTY, MN
February 12, 2007 MEETING MINUTES

The Goodhue County Planning Advisory Commission was called to order at 7:00 p.m. by Chair Randy Juliar in the Goodhue County Justice Center located at 454 West Sixth Street in Red Wing, Minnesota.

Present: Tom Webster Bernie Overby Howard Stenerson Randy Juliar
 Dan Rechtzigel Sam Michels Suzanne Blue Larry Olson
 Mike Patterson Michael Wozniak

Absent:

¹*Motioned by S. Michels and seconded by S. Blue to approve the February 12, 2007 agenda. Motion carried 8:0*

²*Motioned by B. Overby and seconded by S. Blue to approve the January 8, 2006 minutes. Motion carried 8:0.*

STAFF UPDATES – M. Wozniak introduced Shawn Henrichs, the new Zoning Technician. M. Wozniak explained about the upcoming informational meeting regarding the Kenyon Wind Project which will be held on February 15, 2007 at 7pm at the Kenyon School.

CONFLICT/DISCLOSURE OF INTEREST – None to be discussed

Alfred Bear – NW ¼ of the SW ¼ of Section 23 T111N, R15W, Goodhue Township.

M. Wozniak presented the staff report and recommendations as follows:

Alfred Bear is requesting a conditional use permit to operate a home occupation in a building that is 5,520 maximum square feet. The home occupation is for an overhead garage door business.

Background

Mr. Bear purchased the property from Raymond and Marcia Matthees in December of 2006. He plans to build a house and have an accessory building for his overhead garage door business. The application states the building would be 4,600 square feet, however in a recent telephone conversation with Mr. Bear, he stated that he might like to put a lean to of 46'x20' on the building. He would like the maximum size of the building allowed to be 5,520 square feet. He would also use part of the building for a few farm animals and farm equipment.

Article 3, Section 13, Subdivision 3 of the Goodhue County Zoning Ordinance outlines standards for conditionally permitted home occupations in the A-1, A-2, and A-3 zoning districts:

- A. The number of employees employed in conjunction with a conditionally permitted home occupation shall be determined by the Planning Advisory Commission. **The applicant is not requesting more than the permitted employees at this time.**

- B. The home occupation shall be incidental and subordinate to the use of the premises for farming and related farm activities. **The property currently consists of 40 acres that is currently being used. The applicant would use part of the building for farm equipment. The applicant has expressed an interest in possibly selling some of the property in the future. The Planning Advisory Commission may wish to address this matter and provide guidance. Rechtzigelce to the applicant on whether a smaller parcel would change the home occupation from a subordinate and incidental use for farming purposes to being the overbearing use of the property.**

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- C. The conduct of a home occupation may be carried on in an accessory building the size of which shall be determined by the Planning Advisory Commission. **The applicant is requesting a building consisting of 4,600 square feet.**
- D. No traffic shall be generated by the home occupation beyond that which is reasonable and normal for the area in which it is located. **It is staff's understanding that the overhead doors are delivered to the buyers, therefore limiting the traffic.**
- E. Only one non-illuminated sign not to exceed sixteen (16) square feet in area shall be allowed in conjunction with the home occupation. **Applicant must meet this requirement.**
- F. No equipment or process shall be used in such home occupation to create noise, vibration, glare, fumes, odors, or electrical interferences detectable off the premises. **Applicant must meet this requirement.**

Findings of Fact

No conditional use shall be recommended by the County Planning Commission unless said Commission shall find:

- Subd. 1. 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, not substantially diminish and impair property values within the immediate vicinity. **The home occupation should have minimal impact on the surrounding properties. The project as proposed has no foreseeable impact on property values in the area.**
- Subd. 2. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. **The section is zoned Agricultural Protection. There are no foreseeable adverse effects on the use of the land for agricultural purposes.**
- Subd. 3. That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided. **An access permit must be obtained from Goodhue County Public works for the driveway.**
- Subd. 4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **According to the site plan adequate parking and loading space will be available.**
- Subd. 5. 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. **This subdivision must be adhered to.**

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Staff Recommendation/Resolution

Based on the above stated findings of fact, staff recommends approval of the conditional use permit to operate a home occupation in a building larger than 2,000 square feet (5,520 square feet) in the A-1 Agricultural Protection District with the condition that all standards as stated in Article 3, Section 13, Subdivision 3 of the Zoning Ordinance are met.

H. Stenerson said that it is in the middle of the field. There is a home on either side of the forty, but there is nothing unusual.

M. Wozniak said that there does not seem to be any issues with contradicting uses.

Alfred Bear was present and said he had nothing to add.

T. Webster asked when he was anticipating building the house.

B. Overby asked if there is a problem with wanting to sell part of this property for something else.

M. Wozniak said that when reviewing the split with compliance with the zoning ordinance we might bring back to the planning commission. If a conditional use permit is approved, if they want to do something with their property.

C/R. Juliar opened the public hearing

With no public comment, it was motioned by H. Stenerson and seconded by S. Michels to close the public hearing. Motion approved 8:0

H. Stenerson said the issues of the setback. Since semis are not running in and out he doesn't see a need to address that.

³Motion by H. Stenerson and seconded by T. Webster to approve the conditional use permit to operate a home occupation in a building that is 5,520 maximum square feet. The home occupation is for an overhead garage door business.

B. Overby asked if it makes a difference that there are four houses in that section.

K. Gross said that this site is an approved replacement site by the Board of Adjustment.

T. Webster asked if there should be a stipulation that the home should be built first.

M. Wozniak said that they could put that stipulation on the permit.

H. Stenerson said that logically there needs to be a home for a home occupation to happen.

M. Wozniak said it is an interpretation for this commission to make. You would be within your right to stipulate before a home occupation can be started the home has to be constructed. We haven't had a request like this before that he can remember.

B. Overby asked what situation would the county have if the home occupation was built if the home was never built.

M. Wozniak said that is a good point. This is not something that has come up before.

H. Stenerson said that we could put a time table on it.

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D. Rehtzigel said that the intent is to create a business in conjunction with a home. If the home isn't built we can review it.

Motion carried 8:0.

Circle K Family Farms – W ½ of SE ¼ of Section 29 T111N, R14W, Belvidere Township.

M. Wozniak presented staff's report and recommendations as follows:

Circle K Farms are requesting a conditional use permit for a new feedlot exceeding 500 animal units (a. u.) in the A-1 Agricultural Protection District (980 proposed a. u.); an underground concrete pit for the storage or treatment of animal wastes that exceeds 500,000 gallons (1.3-1.7 million gallons); and an animal feedlot located outside of a farmyard.

Background

Circle K Family Farms owns an 80 acre tax parcel in Section 29 of Belvidere Township. They are proposing to build a 280' x 102' swine finishing barn. The manure storage pit is proposed to be located underneath the proposed building.

A conditional use permit is required for "any new or expanding feedlot that meets or exceeds five-hundred (500) animal units in an A-1 Zoning District" (Article 5, Section 5, Subd. 1); "any proposed lagoon system, earthen storage basin, or associated structure (pit) for the storage or treatment of animal wastes that exceeds 500,000 gallons" (Article 5, Section 5, Subd. 1); and also "any animal feedlot when located outside of a farmyard."

To meet the required 100' setback to property lines Mike Kohlnhoffer has stated that they could combine this parcel with the adjoining tax parcel which consists of 153.9 acres to eliminate the property line. Otherwise a variance would need to be granted from the Goodhue County Board of Adjustment.

Mr. Schmidt Schmidt, the County Feedlot Officer, is currently reviewing the expansion request. Please see the attached e-mail correspondence from Mr. Schmidt regarding some environmental concerns staff had questions about.

The Township has signed the Zoning Application Summary Form, indicating their approval of the request.

Article 5, Section 5, Subdivision 4D of the Goodhue County Zoning Ordinance states:

- D. The County shall review the impact of the feedlot and its effect on the neighborhood and environment. The review shall include, but not be limited to, the following conditions:
1. The size of the operation and type of animal raised in the operation. **The proposed feedlot would consist of 980 a.u.**
 2. The method of spreading or incorporating manure from the feedlot. **According to the manure planning worksheet the method of application and incorporation of manure is by sweep injection.**
 3. The measures which will be taken to minimize odor at the feedlot site and during the disposal of manure. **See "Listing of Manure Handling and Storage Areas/Operation and Maintenance Practices" in the attached MPCA application**
 4. The method of disposal of dead, dying, or diseased animals. **Compost per "Animal Mortality Plan" (see MPCA application)**

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Findings of Fact

According to the 2004 Goodhue County Comprehensive Plan, Element 1, Goal 2:

To preserve and protect agricultural land for sustained, long term use.

The Summary goes on to state:

An adequate supply of healthy livestock, poultry, and other animals along with the maintenance, conservation, and enhancement of crop production, pasture land, and natural habitat for plant and animal life have been identified through this process as a high priority.

No conditional use shall be recommended by the County Planning Commission unless said Commission shall find:

- Subd. 1. 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, not substantially diminish and impair property values within the immediate vicinity. **Section 29 and surrounding sections are zoned A-1 Agricultural Protection district. An animal feedlot in this area should not be injurious to the use and enjoyment of other property in the immediate vicinity.**
- Subd. 2. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. **The section is zoned Agricultural Protection. There are no foreseeable adverse effects on the use of the land for agricultural purposes. The minimum setback a dwelling could be from the proposed feedlot according to the OFFSET model is 1,349'.**
- Subd. 3. That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided. **See attached site map.**
- Subd. 4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **According to the site plan adequate parking and loading space will be available.**
- Subd. 5. 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. **This subdivision must be adhered to.**

Staff Recommendation/Resolution

Based on the above stated findings of fact, staff recommends approval of the conditional use permit for a new feedlot exceeding 500 animal units in the A-1 Agricultural Protection District (980 proposed animal units); an underground concrete pit for the storage or treatment of animal wastes that exceeds 500,000 gallons (1.3-1.7 million gallons); and an animal feedlot located outside of a farmyard with the following conditions:

- 1) **Meet the regulations of the County Feedlot Officer and**
- 2) **Meet the regulations of the MPCA.**

H. Stenerson said that they went out there and they could not find stakes where it was marked out. It is out in the middle of the farm field, there are some residences in the area. There is a little blue line and it appears to be just a grass dry run. It doesn't appear to flow into anything.

Mike Kohlhoffer said that it is a power building and it will be ventilated. They thought that was the best location for everything involved.

D. Rehtzigel asked if they would approach on 390th.

H. Stenerson asked where the fields are located that they will be spreading on.

Mr. M. Kohlhoffer said that they own the 80 there and right across.

H. Stenerson said that most of this they will use a pipeline?

Mr. M. Kohlhoffer said that they use a pipeline so there will be minimal impact on the roads.

B. Overby clarified the OFFSET distance and that there were no homes in that distance.

H. Stenerson said the nearest home is close to that line. Is it right on the edge of that setback line?

Mr. M. Kohlhoffer said that prevailing winds would not blow directly there and there is a wooded buffer. There are rolling hills.

C/R. Juliar opened the public hearing.

Julie Benrud-Luhman said she lived nearby. She did not know exactly where it was going. They are concerned because they will be running the land directly to the east and there is a tile line running through it. How will this impact that? Due to the fact that the land does slope into her 80 acres, does it connect up to another tile line? Will that affect it?

H. Stenerson clarified that it was the Evelyn Benrud property.

Ms. Benrud-Luhman said that they are looking at possibly selling their property.

Jeff Kohlhoffer said as far as the tile line goes, we would re-direct that. We couldn't just cut it off and let it back up.

H. Stenerson said being out on the site and not knowing where it is located. They are on the other side of the knoll. If they would hurt anybody, it would be their own tile line that would run into yours. From what we could see it would not be disturbed with their excavation.

Ms. Benrud-Luhman said that we are going to need to make a purchase agreement.

B. Overby said she didn't think there was any problem with a hog operation affecting a tile line.

M. Wozniak said that during construction there might be some disturbance.

B. Overby said but just having the operation wouldn't affect the tile line.

T. Webster asked if those are trees to the north of her house.

Ms. Benrud-Luhman said they were.

T. Webster asked if they were Circle K's.

Mr. M. Kohlhoffer said they were and they would stay.

C/R. Juliar asked if it was somewhat breakable with the contours there.

H. Stenerson said that it is a rolling area. You will have some degree of breakage from that knoll.

S. Michels asked how far over the hill the will go.

Yon Kohlhoffer said that you will see at best a roof line, you won't see a sidewall.

Mr. J. Kohlhoffer said in the summer time when the corns up you won't see anything.

Marlin Benrud asked what happened to having a house on the property for protection.

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M. Wozniak said that part of the action they are requesting is to have a feedlot outside a farmyard. So the commission is being asked to address it.

Mr. Benrud asked when are they addressing it.

M. Wozniak said that is something that is subject to a conditional use and it is part of this conditional use permit.

Mr. Benrud said it use to be for security purposes.

With no further comment it was moved by S. Michels and seconded by H. Stenerson to close the public hearing. Motion carried 8:0.

M. Wozniak said on the issues of security. The applicant could address how they will handle that concern.

Mr. Y. Kohlhoffer said that there is an alarm system on site. The thought has crossed their minds to put a gate on that knoll.

Mr. J. Kohlhoffer we are in and out of that site everyday.

Mr. M. Kohlhoffer said that as far as an environmental problem the manure is under floor so they cannot just pull a valve and spill manure.

C/R. Juliar asked Mr. Schmidt about this feedlot.

Steve Schmidt, county feedlot officer, said that they have a good site. The one issue that might come up would be during manure application if there are open tile intakes on the site. He said that he did receive a copy of the karst review. There is technical backing and they go and walk a ½ mile radius looking for sinkholes, rock out croppings, and that sort of thing.

L. Olson said there are two mineral pits within a mile, are those limestone pits.

Mr. Schmidt said that is right, they were identified. They have to identify anything within a ½ mile according to aerial photo and a ¼ mile on the ground. There is 20 feet to bedrock. You have to maintain 10ft of ground before bedrock.

L. Olson said with no liner.

Mr. Schmidt said with no liner. The ground that was actually identified was a hard clay.

C/R. Juliar clarified that was from the soil borings.

D. Rehtzigel clarified that they were not required to be a residence.

B. Overby said that he is comfortable with this if the feedlot is comfortable with this and the setbacks are correct. When you go out toward Rice County you are seeing many more hog operations going out in the middle of the field.

H. Stenerson said that we are talking a lot more numbers and who would want to set a house within 100' of the hog facility. They couldn't have an owner's home.

S. Michels said it is like large scale farming. There are only two or three members of the family in it. It's getting to be business and if you want to make a living you have to be bigger.

C/R. Juliar said that his only comment is if there is a failure to the manure holding or something.

M. Wozniak said that he could suspect that this is a remnant of the historical approach to, the operations were significantly smaller. This is in section 6 and we have just a line indicating any animal feedlot when located outside of a farmyard. That is where it comes from in the regulations.

H. Stenerson said that sometimes because of technology, they are probably better monitored than the one in somebody's back yard.

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D. Rehtzigel said that security was one of the bigger issues. What if someone broke into that barn. If you get a chance could you touch on that a little bit more.

Mr. Y. Kohlhoffer said that most of the alarm is for the hog's sake. In the end if someone wants to go through a window. Even in your own home. If someone wants to break in, they're gonna.

S. Blue said that there responsibility is to add that there is adequate monitoring

⁴Moved by S. Blue to approve the conditional use permit based on staff recommendation with the condition that there is adequate monitoring, up to staffs discretion. Motion dies for lack of second

H. Stenerson said that he agrees with the motion, but he does not like "adequate."

M. Wozniak said that if it would be adequate to record what there plan is for security.

H. Stenerson said if there is a repeated problem the Kohlenhoffers and staff would have to work something out to get a better monitoring system in place.

T. Webster asked if Circle K Farms have been good neighbors. Have they had any complaints on them in the past?

Mr. Schmidt said there hasn't been a complaint on them on the past. They have passed their inspections and are willing to submit more information when needed.

T. Webster said that they have experience in the building.

⁵Moved by S. Michels and seconded by H. Stenerson to approve the conditional use permit for a new feedlot exceeding 500 animal units (a. u.) in the A-1 Agricultural Protection District (980 proposed a. u.); an underground concrete pit for the storage or treatment of animal wastes that exceeds 500,000 gallons (1.3-1.7 million gallons); and an animal feedlot located outside of a farmyard per staff recommendations. Motion carries 8:0

D. Rehtzigel clarified that the tree line is on their property. They have no intention of removing it.

C/R. Juliar clarified that if there is any habitual issues staff could work with them to address the problem.

Discussion ensued regarding feedlot setbacks to other feedlots.

M. Patterson entered the meeting.

Wanamingo Sportsman's Club – Pt of NE ¼ of NW ¼ Section 25 T110N R17W, Wanamingo Twp.

M. Wozniak presented the staff report and recommendations as follows:

The Wanamingo Sportsman's Club is requesting a conditional use permit to operate an outdoor recreational facility (sportsman's club) in the A-3 Urban Fringe District. The request of the Planning Advisory Commission is that the public hearing for this item be allowed at the February 20, 2007 Board of Commissioners Meeting.

Background

The Wanamingo Sportsman's Club has been in existence on this property since 1974. They have been operating as a legal non-conforming use of the property. Last summer a tree fell on the clubhouse. The sportsman's club would like to build a new clubhouse but are now subject to Article 27, Section 1, Subdivision 1 of the ordinance which states "No building which has been damaged by fire, explosion, flood, act of God, or the public enemy to the extent of more than fifty (50) percent of its value shall be restored, except in conformity with the regulations of this Ordinance."

Outdoor recreational facilities are an allowed conditional use by the Goodhue County Zoning Ordinance. Therefore, the sportsman's club is required to obtain a conditional use permit prior to rebuilding the clubhouse.

Wanamingo Township has approved the building permit for the clubhouse (see attached).

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Due to time constraints the sportsman's club is requesting the Planning Advisory Commission recommend that the public hearing for the conditional use permit be held at the February 20, 2007 Board of Commissioners meeting at 10:00 a.m. Their reasoning for requesting the difference in public hearings is based on the early February PAC meeting due to President's Day; the Goodhue County Sheriff also uses the sportsman's club regularly; and they have a volunteer labor force for building the clubhouse (March is their availability to build.)

Staff Recommendation/Resolution

Based on the above stated time constraints and extraordinary circumstances, staff recommends approval that the public hearing for the conditional use permit be held at the February 20, 2007 Board of Commissioners meeting at 10:00 a.m.

S. Michels said that the old cottonwood tree has finally fell on the old Comstock house. There is no well and no sewer. The sewer will be handled by way of a satellite. The construction would be made by volunteers and their time is available not during the normal construction season.

C/R. Juliar said that we did not call any conflict or disclosure of interest. Let's do that now.

S. Michels said that he has a conflict with this request. *He steps down from the board for this item.*

H. Stenerson said normally when a special meeting is called it the applicant is required to pay for it. Did they pay for this

M. Wozniak said that it is not a special meeting. It is a special request due to time constraints to hold the public hearing at the County Board.

C/R. Juliar said that he understood the public comment being put before the county board, but are they saying to forgoe the whole thing.

M. Wozniak said that is what is being proposed. Basically well, the only option is to have the Planning Advisory Commission to elect to pass on its normal practice to hold the public hearing at the County Board.

B. Overby clarified if they so desire they can do this legally.

M. Wozniak said that the public hearing can be held by the County Board.

H. Stenerson said that their only concern is that they take up a lot of time, and is the County Board going to be happy.

D. Rehtzigel said if this was a new club with a new site being proposed this wouldn't happen. But this club would be fine if it wasn't for the act of a tree falling down. They didn't know that they need a conditional use permit for it. They didn't know that the meeting was moved up. If the meeting was next Monday it would be fine. Are there enough concerns of the Planning Commission for us to move it to the 3rd meeting in March?

B. Overby said that they built their own club and needed to build their own club when they had the people to build it.

6 Moved by B. Overby seconded by L. Olson to approve the public hearing for the conditional use permit be held at the February 20, 2007 Board of Commissioners meeting at 10:00 am.

H. Stenerson said that if there is an issue, can the Board move it back to the Planning Commission?

C/R. Juliar asked for clarification. He understood the public hearing would be at the County Board, but they can't make a decision on this at all?

M. Wozniak said that we felt uncomfortable asking you to make a recommendation regarding the conditional use permit without the public hearing. If you have any suggestions you would like to be put forward to the Board you can state them for the record.

D. Rehtzigel said that this is property is owned by the city and they gave the go ahead to go for it.

S. Michels said that there haven't been any problems since they've been there.

Motion carried 7:1 S. Blue dissenting

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Wind Energy Ordinance

M. Wozniak presented the latest draft of the wind ordinance.

Discussion ensued regarding the roads.

B. Overby suggested getting a path of what roads they will use to get the materials on site so that they know where those impacts will be.

D. Rehtzigel said that if the project is small enough they wouldn't need that over kill. If it is a large project it would go to the state anyway.

S. Michels said that it is addressed in the draft M. Wozniak finished and it is addressed multiple times in the big project. It could be handled administratively.

H. Stenerson said instead of addressing a how, but instead ask a question - will oversized equipment be used.

M. Wozniak said that we could.

D. Rehtzigel said how about a paragraph that the county may require the path, route that the equipment would take.

L. Olson asked if we are talking the micro towers. That is nothing compared to bringing a silo in.

B. Overby said that they want to get rolling on this thing in Kenyon. Mr. Isaakson said that the County might stretch their weight restrictions longer than the state this year. Are they exempt from state rules or do they have to abide by that.

M. Wozniak said that he doesn't think there is a connection there.

H. Stenerson said that back to the table he thought they were going to allow CUP of towers in business zones.

M. Wozniak said that he thinks they are remembering correct. He discussed with Lisa Hanni and she had reservation about the non-commercial of allowing them in B1 and B2. And further she had more significant reservation on the commercial projects in the B1 and B2. The reason being, that we don't have a lot of property in the B1 and B2 zones and the ones that we do, they would not be conducive.

H. Stenerson said that what if in the future we have a large portion of land get rezoned, this may be ok. Not that we would have any now, but we might have something in the future.

D. Rehtzigel said that when you look at the property line distance. How many towers are going to meet that setback requirement?

M. Wozniak said that is one of the reasons they decided not to include them.

H. Stenerson suggested to go across the board and have them all as conditional use permits.

B. Overby asked if we feel comfortable going forward with this prior to our upcoming informational meeting.

M. Wozniak said what we are likely to learn at the meeting is what the concerns the neighbors have.

H. Stenerson said no matter what zoning issues we have there are always "not in my back yard" and we have to weigh that over the greater good for the county.

M. Wozniak said that he addressed language regarding decommissioning.

S. Michels asked why only go down 4'.

Discussion ensued regarding how much of the base should be removed.

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Discussion ensued regarding when to have the public hearing.

H. Stenerson asked whoever is at the informational meeting he is interested in the actual depth of the footing.

D. Rehtzigel said that if anybody wants to be there at the five o'clock meeting for the dinner. That is at the Kenyon VFW. We can talk freely. It is not private. It is a little out of the public eye. The 7 o'clock one is more for the neighbors and the people who will be affected by it.

C/R. Juliar clarified another discussion at our next meeting and a public hearing at the following meeting.

Bylaws Review

M. Wozniak said that we provide an opportunity to review the bylaws. If you have any questions or feel that anything needs to change. We are not proposing anything to change.

C/R. Juliar noticed that we don't follow having who supports the item first and who opposes second.

D. Rehtzigel asked if they need to make a motion.

H. Stenerson asked if E and F could we get into trouble by not conducting our public hearing properly. Should we take that out or put something in.

C/R. Juliar said he does like how you get down to the applicant and the opposition.

M. Wozniak said the history of the commission is that they are pretty liberal for people to make their commission.

L. Olson moved to amend the bylaws...Withdrawn.

BOA appointment

S. Michels said that he would not be able to make more than two Board of Adjustment meetings in the upcoming year.

⁷M. Patterson nominated B. Overby to BOA appointment S. Blue seconded.

B. Overby accepted.

Motion carries 9:0.

ADJOURN

⁸Moved by D. Rehtzigel and seconded by L. Olson to adjourn the February 12, 2007 Planning Advisory Commission meeting at 9:12 p.m. Motion carried 9:0.

Respectfully Submitted,

Kristi Gross
Recording Secretary

DRAFT

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MOTIONS

¹ APPROVE the February 12, 2007 agenda. Motion carried 8:0

² APPROVE the January 8, 2007 minutes. Motion carried 8:0.

³ APPROVE the conditional use permit to operate a home occupation in in a building that is 5,520 maximum square feet. The home occupation is for an overhead garage door business. Motion carried 8:0.

⁴ Approve the conditional use permit based on staff recommendation with the condition that there is adequate monitoring, up to staffs discretion. Motion DIES for lack of second

⁵ approve the conditional use permit for a new feedlot exceeding 500 animal units (a. u.) in the A-1 Agricultural Protection District (980 proposed a. u.); an underground concrete pit for the storage or treatment of animal wastes that exceeds 500,000 gallons (1.3-1.7 million gallons); and an animal feedlot located outside of a farmyard per staff recommendations. Motion carries 8:0

⁶ APPROVE the public hearing for the conditional use permit be held at the February 20, 2007 Board of Commissioners meeting at 10:00 am. Motion carried 7:1 S. Blue dissenting.

⁷ B. Overby to BOA appointment. Motion carried 9:0.

⁸ ADJOURN the January 8, 2007 Planning Advisory Commission meeting at 9:12 p.m. Motion carried 9:0.