

Minutes of the Dodge County
PLANNING COMMISSION MEETING
December 5, 2007

The regular meeting of the Planning Commission was called to order by Galen Johnson at 1:00 PM on Wednesday, December 5, 2007. Present were Planning Commission members Galen Johnson, John Allen, Larry Schmeling, and Harlan Buck. Also present were County Commissioner Dave Erickson, Dave Hanson, Lyle Tjosaas, County Administrator David McKnight and Planning Director Duane Johnson.

Motion by Harlan Buck, seconded by Larry Schmeling, to approve the agenda and the November 2007 minutes. Motion passed unanimously.

Tarra Boyum / Marge Chilson – CUP #07- 31

The first public hearing is to consider an application for a Conditional Use Permit to establish a 2nd farm dwelling in the Agricultural District. The property is 48.5 acres located in the SW 1/4 of NW 1/4, of Section 5, Milton Township. Tarra Boyum is the applicant and Marge Chilson is the property owner.

Tarra Boyum was present to explain the need to help her mother with farming since her dad, Loren Chilson died 2 ½ months ago.

Dave Kennedy, Milton Township has no objection with this proposal.

Guy Kohlnhofer, County Engineer commented on the road being a minimum maintenance road and the bridge to the north may not always be there.

Tarra Boyum acknowledged that they are aware of the road maintenance and the bridges likelihood.

Motion by Harlan Buck, seconded by John Allen, to close the public hearing. Motion passed unanimously. Motion by John Allen, seconded by Harlan Buck, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Agricultural Covenant shall be signed and recorded.
2. The septic system must meet the Dodge County's septic ordinance.
3. Driveway access and permits be obtained from the Township.

The motion was passed unanimously

Jason Masching – CUP #04-06 (amend and expansion)

The second public hearing is to consider an application for a Conditional Use Permit to amend CUP # 04-06 and expand an existing feedlot to capacity of 4800 head finishing hogs or 1920 animal units. The expansion will include a new confinement building approximately 102 x 193 feet with a beneath barn 8 foot concrete pit for manure storage for 2400 head of hogs. The property is 5.73 acres located in the NE 1/4 of NW 1/4, of Section 12, Westfield Township. Jason Masching is the applicant and the property owner.

Jason and Duane Masching were present to explain the proposal for a new hog barn. Jason Masching wants to expand his hog operation. This barn will be to the west of the existing barn and will be 8 foot longer to adjust for an alley way.

Don and Barb Thompson, neighbor to the east had concerns about the increase in traffic, noise and smell from the additional pigs. There is compost shed along the property line adjacent to Don's aunt that she would like to see moved.

O. Delle, Festal Farms, knows the family and is in support of the proposal.

Duane Johnson received a call from Mrs. Shaw who owns the property adjacent to Jason Masching site. Mrs. Shaw had concerns about the compost shed, odor and want trees planted to reduce odor. At the original CUP meeting Jason had stated that he has plans for this site to be his residence, does he still plan on residing there.

Guy Kohlnhofer, County Engineer addressed the driveway issue. The property has 500 feet of property front along County Road 5. State regulations require 660 feet between driveways. If the applicant wants to move the existing driveway to the west in the middle of the property the county could work with him on it. But will not permit a 2nd driveway.

Galen Johnson questioned if the existing field drive to the west was removed would that permit the 2nd driveway. You would not be adding any more driveways.

Jason Masching stated that if the driveway is moved to the middle of site, that may be better, but if you add a driveway the trucks could drive in and drive out without backing around on the road.

Mr. Kohlnhofer stated that the state guidelines for the top width of the driveway should be 32 feet.

Duane Johnson addressed the issue with the compost shed not meeting the side yard setback. The shed will need to be brought up to county standard.

Duane Johnson addressed the issue with the Bio-filters.

John Allen had concerns with no tree planting that every other feedlot requires trees to be planted for a wind break.

Duane Masching stated that if they planted trees to the east there will be a snow drift that will affect the neighbors farming in the spring.

John Allen recommended they work with the neighbor on the tree issue.

Larry Schmeling inquired what the other options are on the Bio-filters.

Duane Johnson explained the finding from the University of Minnesota study on Bio-filters.

Galen Johnson explained after a lengthy talk with Larry Jacobson, from the University, there are possibly two air zones in the barn. Wall fans verses pit fans were studied and the University is still looking for new barns to conduct more studies.

Motion by Harlan Buck, seconded by Larry Schmeling, to close the public hearing. Motion passed unanimously. Motion by Harlan Buck, seconded by John Allen, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Feedlot Advisory Report dated October 23, 2007.
2. Amendment in the Feedlot Advisory Report item 8 on page 3 of 3 should read Odor reduction with the use of Bio-filters on pit fans, built to University of Minnesota specification, will be required for the this barn.
3. Zoning Permit obtained before building.
4. Update County Animal Feedlot Registration Form.
5. Compost shed be brought into compliance with the Dodge County Zoning Ordinance for side yard setback of 25'.

The motion was passed unanimously

Robert Snaza – ZA #07-03

The third public hearing is to consider a request by Robert Snaza for a text amendment to the Dodge County Zoning Ordinance which currently prohibits commercial go-cart tracks. A text amendment would allow commercial go-cart tracks County wide. The County is studying whether this type of business should be considered as (1.) a conditional use in the Agricultural District (2.) allowed only in a Commercial District. Robert Snaza owns 37.5 acres located in the NE 1/4 of NE 1/4, Section 1, Ripley Township and is proposing to operate an outdoor commercial go-cart track on this property.

Bob Snaza was present to explain this go-cart track started as entertainment for his own kids and has grown in having friends and neighbors kids over to ride go-carts.

Duane Johnson addressed the county's standing on the go-cart track. Ripley permitted this go-cart track back in 2001. Bob Snaza has signed a waiver for the sixty day rule. Staff has requested information from other Counties (Mower, Rice, Steele and Olmsted) regarding permitting go-cart tracks. These race tracks fall under Commercial Outdoor Recreation as a Conditional Use Permit in the Agricultural District. Our Zoning Ordinance does not have a Commercial Outdoor Recreation category.

Galen Johnson inquired if the planning commission was being asked to amend the zoning ordinance or permitting a Conditional Use Permit for Snaza.

Duane Johnson stated that this is for the text only; the County Ordinance prohibits go-cart tracks.

Bob Snaza stated the go-carts are 25 horsepower or less, must have mufflers, only run day races and every other weekend. A chain link fence will be installed along the south side of the track to keep the go-carts from entering the neighbors' property. No parent is allowed to drop off their kid and leave; they must stay.

A motion was made by Larry Schmeling, and second by Harlan Buck to enter into the minutes two memo's that was submitted. Motion passed unanimously.

Gene Hallaway, Ripley Township has no objection they figured this was grandfather in. The track started before the Ripley Zoning Ordinance was adopted.

Larry Scherger, Wasioja Township has no objection with go-cart tracks, but not sure were it should fall in the Dodge County Zoning Ordinance.

Tom Bahr, neighbor to Snaza's go-cart has concerns: 1. Set back for a commercial track. The finish grade is on his property and he doesn't want the liability of accidents happening on his property. 2. Accidental fuel spill would run his way. 3. Noise from the go-carts. There is one that back fires when he goes around the corners. It sounds like a gun going off.

Duane Johnson commented go-carting is a broad area and the interest level is very strong. Some professional drivers started at go-cart tracks. The county know of three track so far; Snaza, one on Hwy 30, one south on Co Rd 15. They have built these tracks for their own enjoyment. Most tracks size is 300' x 150' in size. The County Fair Board is interested in sanction go-cart racing.

Galen Johnson inquired if Mr. Snaza's track was commercial if he was generating revenue.

Mr. Snaza stated that he has an insurance bond that he buys and the money goes to that payment.

Larry Schmeling inquired about the property line.

Harlan Buck commented that we need to weight the proposal more.

Galen Johnson commented that more thought is needed about setbacks, run off, noise, and hours of operation. More information is also needed on how we measure these issues.

Galen Johnson inquired if Mr. Snaza's track races for points or prizes.

Bob Snaza stated no, it's for the kid's enjoyment only.

Duane Johnson commented more information is needed on performance standards. The county has never allowed commercial track.

Larry Schmeling had concerns on how setbacks are determined. If Mr. Snaza is allowed to keep his track would he have to more it.

Motion by Larry Schmeling, seconded by John Allen, to close the public hearing. Motion passed unanimously. Motion by John Allen seconded by Larry Schmeling, to postpone this request until the January 9, 2008 meeting to allow staff time for additional study. Motion passed unanimously.

Other Business

The Planning Commission will review the By-Law and discuss them at the next meeting.

Galen Johnson commented that the elections are next month and if anyone wished to be nominated for chair he would be fine with it. He has had the pleasure of being the chair for the last three years. Also thanked staff for their hard work.

Duane Johnson gave an updated on the Land Use Task Force looking at wind farm proposal for the county.

Adjourn

Motion by Harlan Buck, seconded by Larry Schmeling, to adjourn. Motion passed unanimously. The meeting was adjourned at 2:40 PM.