



REDWOOD COUNTY ENVIRONMENTAL OFFICE

*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

PO BOX 130
REDWOOD FALLS
MINNESOTA 56283
PH: 507-637-4023

AGENDA

REDWOOD COUNTY PLANNING COMMISSION

Monday, January 30th, 2017 – 1:00 p.m.

1. Call to Order
2. Election of Officers for 2017
3. Public Hearing on the *Application for Animal Confinement Feedlot Conditional Use Permit #1-17* filed by Joe Seifert
4. Public Hearing on the *Application for Conditional Use Permit #2-17* filed by Curt Walter of Buell Consulting o/b/o Verizon (Lester Schultz, landowner)
5. Other Business:
 - a. Review and approve the minutes from the November 28th Planning Commission meeting
 - b. Any other business



REDWOOD COUNTY ENVIRONMENTAL OFFICE

*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

PO BOX 130
REDWOOD FALLS
MINNESOTA 56283
PH: 507-637-4023

TO: Redwood County Planning Commission

FROM: Nick Brozek *NB*
Land Use and Zoning Supervisor
Redwood County Environmental Office

DATE: January 18th, 2017

RE: Planning Commission Hearing on January 30th, 2017

A meeting of the Redwood County Planning Commission has been scheduled for Monday, the 30th day of January, 2017, beginning at 1:00 o'clock p.m. at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

The meeting will include two (2) public hearings. A brief summary of the subject matter of the agenda items are set forth below.

1. Public hearing on an *Application for Animal Confinement Feedlot Conditional Use Permit* submitted by Joe Seifert.

Joe Seifert is requesting to expand his existing small feedlot at his home site located at 22450 County Hwy 13, in Section 36 of Three Lakes Township. He currently has a mixture of chickens, swine, and cattle in six different barns on the site. Specifically, he is currently permitted for 20 beef cattle, 400 finishing hogs, and 2000 chickens. The cattle are held in an old 30' x 60' barn with 26 foot leans on three sides. The chickens are held in a 30' x 80' barn. The hogs are held in four different barns, measuring 120' x 36', 68' x 36', 70' x 38', and 72' x 40' respectively. Seifert proposes to enlarge the chicken barn and the 68' x 36' hog barn by moving in and placing existing barns from a different site. The hog barn will get a 52' x 36' addition and the chicken barn will get a 114' x 40' addition, both additions being on the west end of the existing buildings. The total animal numbers and animal units (per Redwood County Ordinance) after the proposed expansion will be as follows: 100 beef cattle (100 animal units); 1000 finishing pigs (400 animal units); and 4000 laying hens (40 animal units). The total animal units on the site after the proposed expansion will be 540 animal units. The site is located in an "A" Agricultural District.

There will be six livestock barns total. The cattle barn (82' x 86', including leans) is located closest to the road, near Seifert's house. The other five barns are lined up north to south on the southwest corner of the building site, as follows:

1. 30' x 80' chicken barn with proposed 40' x 114' addition
2. 36' x 120' swine finishing barn
3. 36' x 68' swine finishing barn with proposed 52' x 36' addition
4. 38' x 70' swine finishing/nursery barn
5. 40' x 72' swine finishing barn

The chicken barn will include a fenced pasture to contain the additional chickens while still allowing them access to the outside.

There are no manure pits or constructed manure storage areas on the site. Manure will be scraped and stockpiled on site, and land applied in surrounding fields farmed by Rory Seifert.

Section 17, Subdivision 3(1)(C) of Redwood County Ordinance states that a Conditional Use Permit is required “[w]henver any existing feedlot subject to the Conditional Use Permit is expanded to more than 200 animal units over the Conditional Use Permit level.” Consequently, Seifert was asked to apply for a Conditional Use Permit. Additionally, the feedlot site is located less than one quarter of a mile from the nearest neighboring residence, owned by Rory and Susan Seifert (Joe’s parents). Pursuant to this, Seifert applied for and obtained variance #4-15v on August 11, 2015, for a variance of 670’ from the required one quarter mile dwelling setback for a feedlot. This increase also triggered the need for a new variance. Consequently, Mr. Seifert applied for and obtained a variance for the proposed expansion on January 4th, 2017.

The property at issue is located on the west side of and abuts County Hwy 13. Pursuant to Sec. 7, Subd. 5(2)(A)(1) of Redwood County Zoning Ordinance, “[t]here shall be a minimum front yard setback of sixty-seven (67) feet from (sic) right-of-way of any public road...” The relevant section of County Hwy 13 has a right-of-way of 50 feet. Therefore, a building cannot be located within 117 feet of County Hwy 13, measured from the center of the road. The closest structure used by the conditional use (the existing open cattle lot) is located 150 feet from County Hwy 13, measured from the center of the road. The other structures and barns, including the proposed new hog barn, are, or will be, located farther back from the road, behind the open lot. Therefore, the conditional use satisfies the front yard setback requirement.

Only one neighboring dwelling is located within ½ of a mile of the feedlot site. This is the dwelling of Rory and Susan Seifert, referenced above. No other dwelling is located within 3000’ of the feedlot.

Pursuant to Sec. 7, Subd. 5(5)(A) of Redwood County Zoning Ordinance, “[t]here shall be a minimum setback of one hundred (100) feet from any Judicial or County tile lines. The said setback requirement shall apply to erection of and maintenance of all structures, buildings, and the like.” The structures used for the conditional use will be located over 1400 feet from the closest county tile. Therefore, the proposed conditional use satisfies the setback requirement regarding county tile.

The closest County or Judicial Ditch to the feedlot is Judicial Ditch 30, located 1700’ east of the feedlot. Additionally, County Ditch 24 is located 2200’ southwest of the feedlot. Pursuant to Section 17, Subdivision 4(3)(A)(5) of Redwood County Zoning Ordinance, “[a] new feedlot may not be located within 300 feet of a County, Judicial, or private open drainage ditch.” Therefore, the proposed conditional use satisfies the setback requirement regarding open ditches.

Pursuant to Sec. 17, Subd. 4(3)(A)(12) of Redwood County Zoning Ordinance, “[a] new feedlot may not be located within 100 feet of any private well or within 1,000 feet of any municipal well.” The nearest private well to the feedlot is Seifert’s well, located 100 feet northeast of the existing cattle lot, and about 300’ east of the other barns.

According to the U.S. Fish and Wildlife Service, National Wetland Inventory, there are no wetlands located on or around the site of the proposed conditional use.

The soils upon which the feedlot is located are classified as Webster clay loam, 0 to 2 percent slopes, and Normania loam, 0 to 3 percent slopes.

A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

2. Public hearing on an *Application for Conditional Use Permit* submitted by Curt Walter for Verizon Wireless o/b/o landowner Lester Schultz.

Verizon is proposing to construct a new 250 foot tall self-supporting telecommunications tower and equipment platform in the SE1/4 of Section 5, Three Lakes Township. The tower will include a lightning rod adding another 9 feet to the total height. The tower will be built on land leased from Lester Schultz, located at 27246 County Hwy 1. The tower will include a Verizon antenna to accommodate increased wireless data and streaming usage. The tower will also have the capacity to house antennas from up to two additional providers. The tower site will include a gravel driveway and parking area and perimeter fence.

The proposed communications tower is located in the Agricultural District. Section 7, Subd. 3.14. of the Redwood County Ordinance states that "Cellular Telecommunications Towers" are a conditional use in the Agricultural District.

In accordance with the application requirements stipulated in Section 20, Subd. 2 of the Ordinance, Curt Walter of Buell Consulting, Inc., acting on behalf of Verizon, submitted the following documents and information:

1. CUP application
2. Site plan
3. Landowner information
4. Narrative description of all airports and/or telecommunications towers in the area
5. Architectural drawings
6. Letter regarding collocation
7. List of FCC licenses held by Verizon

Verizon must still provide the following as a condition of permit approval:

1. Consent to the construction of the tower by the landowner via sworn affidavit (see Section 20, Subd. 2.2.)
2. A sworn and certified statement by an engineer certifying that the tower is structurally sound and conforms to the requirements of the MN Building Code and all other construction standards set forth by law (see Section 20, Subd 2.9.)
3. Certificate of insurance (see Section 20, Subd. 7.8.)

In addition to the above requirements, Section 20, Subd. 7 of the Ordinance lists the following performance standards for telecommunications towers:

1. A tower shall be located on a parcel of land so as to have the least impact on adjoining properties and any negative impact of the tower shall be confined as much as possible to the property on which the tower is located.
2. Generally, only one communication tower is permitted on a parcel of land. If, in the opinion of the Redwood County Planning Commission, a particular parcel is well suited for more than one communications tower, the additional tower may be allowed following the issuance of a conditional use permit. All other standards contained in the Ordinance must be met.
3. Towers are prohibited on any property whose principle use includes the storage, distribution, or sale of volatile, flammable, or hazardous materials such as LP gas, propane, gasoline, natural gas, and corrosive or dangerous chemicals.
4. Structural design, mounting and installation of the antenna and tower shall be in compliance with manufacturer specifications. The plan shall be approved and certified by a registered professional engineer.
5. In general, self-supporting towers (i.e. those without the use of wires, cables, beams or other means) are preferred.

6. All towers shall be reasonably protected against unauthorized climbing. The bottom of the tower from ground level to 12 feet above ground shall be designed in a manner to preclude unauthorized climbing or shall be enclosed by a six-foot high chain link fence with a locked gate.
7. Permanent platforms or structures, exclusive of antennas, other than that necessary for safety purposes or tower maintenance are prohibited.
8. All Communications towers and their antennas shall be adequately insured for injury and property damage caused by collapse of the tower. A "certificate of insurance" shall be filed with the Redwood County Environmental Office prior to commencing operation of the facility.
9. No temporary mobile sites are permitted except in the case of equipment failure, equipment testing, or in case of emergency situation as authorized by the County Zoning Administrator. Use of temporary mobile cell sites for testing purpose shall be limited to twenty-four (24) hours; use of temporary mobile cell sites for equipment failure or in the case of emergency situations shall be limited to a term of thirty (30) days. The Redwood County Zoning Administrator can extend these limits.
10. Construction of an approved tower, including all accessory structures, including footings and foundation, must be completed within one (1) year following the date of the permit.
11. The tower will need to be lighted as required by the FAA. If no light is required, the tower will be lit with a red strobe light.
12. Colored guide guard sleeves will be placed on the anchors to make them visible or each wire guide shall be surrounded by at least a six (6) foot high fence.

In addition to the performance standards, Section 20, Subd. 9 contains the following aesthetic requirements:

1. Metal towers shall be constructed of, or treated with, corrosive resistant material.
2. Towers and antennae, including support cables and structures, and fencing shall be designed to blend into the surrounding environment to the maximum extent possible through the use of color. Communication towers not requiring FAA/FCC painting/markings shall have either a galvanized finish or be painted a non-contrasting color consistent with the surrounding area.

Furthermore, Section 20, Subd. 12 requires ongoing maintenance as follows:

1. Tower owners shall at all times employ ordinary and reasonable care and shall install and maintain and use nothing less than commonly accepted methods and devices for preventing failures and accidents which are likely to cause damage, injuries, or nuisances to the public.
2. Tower owners shall install and maintain towers, telecommunication facilities, wires, cables, fixtures, and other equipment in substantial compliance with the requirements of the National Electric Safety Code and all FCC, state, and local regulations, and in such manner that will not interfere with the use of other property.
3. All towers, telecommunication facilities and antenna support structures shall at all times be kept and maintained in good condition, order, and repair so that the same shall not menace or endanger the life or property of any person.
4. Licensed maintenance and construction personnel shall perform all maintenance or construction on a tower, telecommunication facilities or antenna support structure.
5. All towers shall maintain compliance with current radio frequency emissions standards of the FCC.
6. Antenna and tower owners shall be required to conduct an annual inspection of their facilities to insure continuing compliance with this Ordinance. A copy of the annual inspection report shall be provided to the zoning administrator.

The driveway for the tower site will use an existing approach off of CSAH 1 about 500 feet north of the curve where the road crosses over County Ditch 64. The site itself will be part of the existing farm building site, lying between farm buildings lying to the east and the grove to the west.

There is a County tile main on the tower site property. However, it is located about 1,000 feet north of the site.

County Ditch 64 is the closest County ditch to the project and is located about 2500 feet southeast of the site.

The closest residence to the tower site is that of landowner Lester Schultz, located 300 feet northwest of the site. The three closest third-party residences to the proposed site are as follows: Albert & Colleen Marcus, 27245 CSAH 1, about 650 feet northwest of the site; Sean Sinnot, 27624 CSAH 1, about 2200 feet north of the site; and Constance Kiser, 36464 280th Street, about 5000 feet northwest of the site.

Section 20, Subd. 5 of the Ordinance requires that communications towers be set back at least the height of the tower plus 100 feet from the following structures and features:

1. Neighboring residences
2. Property lines and public street right-of-way lines
3. All structures not belonging to the applicant

Subd. 5.2. states that tower height shall include "all antennae or other attachments." Consequently, the 9 foot lightning rod will be included in the tower height, requiring a setback of 359 feet.

A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

