



PLANNING COMMISSION REGULAR MONTHLY MEETING MINUTES

DECEMBER 18, 2023	7:04 PM	NICOLLET COUNTY BOARD ROOM
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ROLL CALL	COMMISSIONERS PRESENT	COMMISSIONERS ABSENT EXCUSED	NICOLLET COUNTY STAFF PRESENT
	☒ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☒ Marie Dranttel, <i>Commissioner</i> ☒ Lloyd Hoffmann ☒ Justin Laven ☒ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	☒ Spencer Crawford, Zoning Specialist (ZS) ☒ John Zehnder, Zoning Specialist (ZS) ☒ Michelle Zehnder Fischer, County Attorney (CA) ☒ Crystal Madden, Recording Secretary ☒ Other Staff: Shana Jackson, County Assessor (CA) ☐ Other Staff:

REVIEW OF CANCELLATIONS & ADDITIONS	None.
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APPROVAL OF NOVEMBER 20, 2023 MINUTES	MOTION	SECOND
APPROVE	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab
VOTE TO APPROVE MINUTES	☒ PASS ☐ FAIL	VOTE: 6 - 0

PUBLIC APPEARANCES

Mike Roen, 305 N. Van Buren Ave, Eveleth	Mr. Roen made a public appearance to request staff resources for a text amendment of the Nicollet County Zoning Ordinance to allow accessory dwelling units for elder care. There was discussion between Mr. Roen, Staff and the Commissioners. Commissioner Thoreson motioned staff research and report back to the Commission at the meeting next month. This motion was seconded by Commissioner Laven. The vote on the motion passed 6-0.
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PUBLIC HEARINGS – Conditional Use

PLN23-23	APPLICANT/LANDOWNER: Adam Hoffmann with M.R. Paving & Excavating Inc. / New Ulm Quartzite Quarries, Inc.
DESCRIPTION	Three (3) year review of their Mineral Extraction Permit for a hot mix plant in the Conservancy and Limited Industry Zoning Districts.
CONFLICT OF INTEREST	None.
SITE VISIT & PUBLIC CONTACT	Commissioners Dranttel, Hoffmann, Laven, Thoreson & Chair Ubel visited the site. Commissioner Laven and Chair Ubel heard from members of the public concerning the request.
STAFF REPORT PRESENTED BY	ZS Crawford
APPLICANT TESTIMONY	Present to represent the application was Adam Hoffmann, 21151 122 nd Street, Hanska with M.R. Paving & Excavating Inc.
PUBLIC TESTIMONY	A petition from members of the Shady Brook Acres subdivision was received by ZS Crawford, and was entered into the record stating they opposed the request. Gary Bruns at 57012 Hillcrest Lane, New Ulm was present to provide public testimony.

	Victor Redke at 54133 Edgewood Drive, New Ulm was present to provide public testimony. Mr. Redke submitted printed images into the record stating he would like control of the smoke and smell coming from the plant. Commissioner Laven discussed the location of the photographs, and Mr. Redke confirmed that the images are from the other hot mix plants on the site and not of this hot mix plant application currently up for renewal.		
	Pat Nelson at 57063 Brookview Lane, New Ulm was present to provide public testimony. Mr. Nelson had questions concerning air quality testing. The Applicant and ZS Crawford provided answers.		
COMMISSIONER DISCUSSION	Further discussion between the Applicant, Commission, and Staff took place.		
COMMISSION ACTION - MOTION	MOTION	SECOND	
RECOMMEND APPROVAL with staff recommended conditions #1-10.	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	
MOTION TO RECOMMEND APPROVAL WITH CONDITIONS AS RECOMMENDED BY STAFF	VOTE: 6 - 0		
COMMISSION ACTION – VOTE			
RECOMMEND APPROVAL with conditions, as recommended by Staff	☒ PASS	☐ FAIL	VOTE: 6 - 0
COMMISSION ACTION – ADOPT FINDINGS	MOTION	SECOND	
ADOPT THE FINDINGS OF THE FACT AS STATED	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☒ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	
VOTE TO ADOPT THE FINDINGS OF FACT	☒ PASS	☐ FAIL	VOTE: 6 - 0
PLN23-24	APPLICANT/LANDOWNER: Lee Alex with Trident Dairy / Dairy Wise Builders LLC		
DESCRIPTION	Modification of an existing Feedlot Conditional Use Permit (CUP) for Granby Ranch to include cows as well as calves while maintaining 950.4 animal units (AUs).		
CONFLICT OF INTEREST	None.		
SITE VISIT & PUBLIC CONTACT	Commissioner Laven visited the site. Commissioners Thoreson and Chair Ubel stated they had visited the site in the past. There was no contact with Commissioners from members of the public.		
STAFF REPORT PRESENTED BY	ZS Zehnder. ZS Crawford stated for the record that there is a Minnesota Statute 15.99 Waiver on file for this request.		
APPLICANT TESTIMONY	Present to represent the application was Lee Alex, General Manager – Trident Dairy, located at 2228 Aspen Lane, North Mankato		
PUBLIC TESTIMONY	No one was present to provide public testimony.		
COMMISSIONER DISCUSSION	Further discussion between the Applicant, Commission, and Staff took place.		
COMMISSION ACTION - MOTION	MOTION	SECOND	
RECOMMEND APPROVAL with conditions, as recommended by Staff	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	
MOTION TO RECOMMEND APPROVAL WITH CONDITIONS AS RECOMMENDED BY STAFF	VOTE: 6 - 0		
COMMISSION ACTION – VOTE			

RECOMMEND APPROVAL with conditions, as recommended by Staff	☒ PASS	☐ FAIL	VOTE: 6 - 0
COMMISSION ACTION – ADOPT FINDINGS	MOTION		SECOND
ADOPT THE FINDINGS OF THE FACT AS STATED	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☒ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	
VOTE TO ADOPT THE FINDINGS OF FACT	☒ PASS	☐ FAIL	VOTE: 6 - 0

MEETING RECESS

8:56 PM Motion for a 10-minute recess was made by Commissioner Thoreson, and seconded by Commissioner Schwab. The vote on the motion passed 6-0. The meeting resumed at 9:05 pm.

PLN23-25	APPLICANT/LANDOWNER: Marty & Mary McCabe		
DESCRIPTION	To place fill dirt over fifty (50) cubic yards not associated with a permitted use on property within the Agricultural Preservation Zoning District.		
CONFLICT OF INTEREST	None.		
SITE VISIT & PUBLIC CONTACT	No Commissioner visited the site. There was no contact with Commissioners from members of the public.		
STAFF REPORT PRESENTED BY	DZA Crawford		
APPLICANT TESTIMONY	Present to represent the application were Mary & Marty McCabe, 36387 410 th Street, St. Peter.		
PUBLIC TESTIMONY	No one was present to provide public testimony. No other correspondence was received.		
COMMISSIONER DISCUSSION	Further discussion between the Applicant, Commission, and Staff took place.		
COMMISSION ACTION - MOTION	MOTION		SECOND
RECOMMEND APPROVAL with conditions, as recommended by Staff	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	
VOTE TO RECOMMEND APPROVAL WITH CONDITIONS AS RECOMMENDED BY STAFF			VOTE: 6 - 0
COMMISSION ACTION – VOTE			
RECOMMEND APPROVAL with conditions, as recommended by Staff	☒ PASS	☐ FAIL	VOTE: 6 - 0
COMMISSION ACTION – ADOPT FINDINGS	MOTION		SECOND
ADOPT THE FINDINGS OF THE FACT AS STATED	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☒ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	
VOTE TO ADOPT THE FINDINGS OF FACT	☒ PASS	☐ FAIL	VOTE: 6 - 0

PLN23-26	APPLICANT/LANDOWNER: Holly Carlson		
DESCRIPTION	To establish and operate a dog boarding kennel within the applicant’s residence on property located within the Agricultural Preservation Zoning District.		
CONFLICT OF INTEREST	None.		
SITE VISIT & PUBLIC CONTACT	Commissioners Laven & Chair Ubel visited the site. Contact was made with Commissioner Laven from a member of the public concerning barking, and in opposition of the request.		
STAFF REPORT PRESENTED BY	DZA Crawford		
APPLICANT TESTIMONY	Present to represent the application was Holly Carlson, 47530 478 th Street, Nicollet.		
PUBLIC TESTIMONY	No one was present to provide public testimony. Public comment was received by ZS Crawford on 12/18/2023. A neighbor commented in opposition of the request concerning noise nuisance from barking dogs. Particularly, during funerals at the neighboring cemetery. This comment was entered into the record.		
COMMISSIONER DISCUSSION	Further discussion between the Applicant, Commission, and Staff took place.		
COMMISSION ACTION - MOTION	MOTION		SECOND
RECOMMEND APPROVAL with conditions, as amended to include a Noise Mitigation Plan per Nicollet County Zoning Ordinance 720.3(9)	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab		☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab
VOTE TO RECOMMEND APPROVAL WITH CONDITIONS AS AMENDED		VOTE: 5 - 1	
COMMISSION ACTION – VOTE			
RECOMMEND APPROVAL with conditions, as amended	☒ PASS	☐ FAIL	VOTE: 6 - 0
COMMISSION ACTION – ADOPT FINDINGS	MOTION		SECOND
ADOPT THE FINDINGS OF THE FACT AS STATED	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab		☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab
VOTE TO ADOPT THE FINDINGS OF FACT	☒ PASS	☐ FAIL	VOTE: 6 - 0

ADDITIONAL ITEMS	
OLD BUSINESS	ZS Crawford presented MN State Statute 245A.11 Special Conditions for Residential Programs. Chair Ubel requested, and was provided, an update from ZS Crawford concerning the outcome of PLN23-17.
OTHER BUSINESS	A motion was made by Commissioner Thoreson to approve 2024 Planning Commission Meeting Calendar, and was seconded by Commissioner Hoffmann. The vote on the motion passed 6-0. Chair Ubel requested ZS Crawford look into the chemical additive options hot mix plants propose to use to mitigate odor, including the associated health risks, to report to the Commission at the next meeting. CA Zehnder-Fisher recognized Nicollet County needs to look at elder care options in terms of rural development, but recommends that significant study, policy discussion, and research of ramifications be completed before significant revision of the Zoning Ordinance is made.
COMMUNICATIONS	None.

ADJOURN MEETING	MOTION		SECOND
10:10 PM	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☒ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab		☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab
VOTE TO ADJOURN MEETING	☒ CARRIED	☐ FAILED	VOTE: 6 - 0

CRYSTAL MADDEN, RECORDING SECRETARY		DATE	1/22/2024
DAVE UBEL, CHAIR		DATE	1/22/2024