

PLANNING AND ZONING ADVISORY COMMISSION AGENDA

Date: June 20, 2022

Time: Following the adjournment of the Nicollet County Board of Adjustments and Appeals Meeting (doors open at 6:45)

Location: Nicollet County Board Room, 501 S. Minnesota Ave., St. Peter, MN

Copies of the meeting agenda and packet are available on the Nicollet County website at:

<https://mn-nicolletcounty.civicplus.com/AgendaCenter>

Questions or comments regarding the meeting can be directed to Spencer Crawford, Deputy Zoning Administrator, at 507-934-7070, or spencer.crawford@co.nicollet.mn.us.

1. Call to Order
2. Roll Call
3. Review of Cancellations and Additions
4. Approval of Minutes: May 16, 2022
5. Review Permits
6. Old Business
7. Other Business:
 - Staff report regarding the proposed new cervid farm moratorium.
 - Staff report regarding the proposed text amendment to allow small solar energy systems on rooftops of permitted structures in the Shoreland Zoning District.
 - Staff report regarding the proposed text amendment to update floodplain management regulations to meet NFIP standards.
8. Communications – County Board meets June 28th, 2022
9. Adjourn

Mission Statement

Providing efficient services with innovation and accountability.

Vision Statement

Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse

Core Values

Leadership. Integrity.
Accountability.
Efficiency. Innovation.



Planning & Zoning Advisory Commission

MINUTES

MAY 16, 2022

7:00 PM

NICOLLET COUNTY
GOVERNMENT CENTER

BOARD MEMBERS	David Hermanson ☒ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☒ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☒	
ABSENT EXCUSED	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☒	Lloyd Hoffmann ☐	
ABSENT UNEXCUSED	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
STAFF PRESENT	Property and Public Services Assistant Director Pete Otterness ☒		
	Deputy Zoning Administrator Spencer Crawford ☒		
	Assistant County Attorney Megan E. Gaudette Coryell ☒		
	Feedlot Specialist Deanna Biehn ☒		

REVIEW OF CANCELLATIONS & ADDITIONS		None	
MOTION TO APPROVE MINUTES OF MARCH 21, 2022		APPROVE ☒	APPROVE WITH REVISIONS ☐
1 ST	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
2 ND	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☒	
VOTE TO APPROVE MINUTES		PASS ☒	FAIL ☐ VOTE: 4 YES 0 NO
PUBLIC APPEARANCES	Mike Stevenson representing Nicollet Conservation Club requesting consideration for proposing a deer farm moratorium for new deer farms in Nicollet County.		

PUBLIC HEARINGS:

HOFFMANN CONSTRUCTION
COMPANY / JOHN HEYMANN

FILE: PLN-04

CONDITIONAL USE PERMIT FOR MINERAL EXTRACTION

APPLICANT COMMENT	Brian Aebly with Hoffman Construction stated this is a two year project specific pit for the Minnesota Department of Transportation (MNDOT) Highway 14 expansion project. This type of borrow pit is a common practice for road projects. This pit will be a cut and fill pit specifically for the MNDOT project only. Material removed will be used for road approaches. The estimated amount of fill to be used is around 200,000 cubic yards with a maximum the pit could yield of 300,000 cubic yards. This location would mean less trucks on the open public roads for material transportation.		
PUBLIC COMMENT	Prior to the hearing, one comment was received by a member of the public, wanting to stay anonymous, requesting more details on the project specifically when the detailed packet would be on the Nicollet County website for review. No additional questions were received.		
PUBLIC TESTIMONY	None		
PUBLIC PARTICIPATION	None		
MOTION	APPROVE WITH CONDITIONS ☒		DENY ☐
1ST	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
2ND	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☒ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
COMMISSIONER DISCUSSION	Question by PC Ubel regarding the amount of material and type of material planned to be extracted and its use. Mr. Aebly answered that the material would be soil of various types but mainly just a mixed soil material as that is what is desired on the project. Motion PC Ubel Second Commissioner Dranttel to add an eleventh Condition stating: The applicant shall adhere to the proposed reclamation plan as submitted. In addition to the added condition, proposed Condition # 9 was amended to allow the hours of operation to be 06:30 am to 6:30 pm.		
VOTE TO APPROVE REQUEST	PASS ☒	FAIL ☐	VOTE:4 YES 0 NO
FINDINGS OF FACT			
MOTION TO ADOPT FINDINGS			
1ST	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☒ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
2ND	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
VOTE TO ADOPT FINDINGS	PASS ☒	FAIL ☐	VOTE:4 YES 0 NO

WAYNE HAVEMEIER

FILE: PLN-05

CONDITIONAL USE PERMIT FOR SWINE FEEDLOT

APPLICANT COMMENT	None		
PUBLIC COMMENT	A member of the public, desiring to be anonymous, was concerned with the location and was requesting the distance of a specific house to the feedlot location. The location was outside the required setback.		
PUBLIC TESTIMONY	None		
PUBLIC PARTICIPATION	None		
MOTION	APPROVE WITH CONDITIONS ☒		DENY ☐

1ST	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
2nd	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☒	
COMMISSIONER DISCUSSION		PC Ubel requested the status of the building site to the south. Applicant Havemeier stated that building site is not in use and only has a few old building left standing. PC Ubel inquired what other hog site is the closest to this location. Applicant Havemeier stated the closest is the Wakefiled Pork site, approximately a mile to the North and West. PC Hoffmann inquired if there is concern with the location for disease control. Applicant Havemeier stated there was no concern with this location and distance to the nearest hog farm. PC Hoffmann asked if the deceased hogs are going to be rendered or composted. Applicant Havemeier stated the plan is for the deceased hogs to be rendered to reduce disease. The deceased hogs will be contained in a concrete structure on the old farmsite for pickup by a rendering company.	
VOTE TO APPROVE REQUEST		PASS ☒	FAIL ☐ VOTE: 4 YES 0 NO
FINDINGS OF FACT			
MOTION TO ADOPT FINDINGS			
1ST	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
2ND	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☒ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
VOTE TO ADOPT FINDINGS		PASS ☒	FAIL ☐ VOTE: 4 YES 0 NO

OTHER:

OLD BUSINESS	None
OTHER BUSINESS	First Item of Other Business
	Discussion regarding a potential Deer Farm moratorium. This is an update on information presented at the March 21, 2022 meeting. The direction from the March meeting was to support a statewide proposal to regulate deer farming. The proposed language in House file 4366 Article 2 Section 27 and Senate file 4019 Section 35.155 regulating deer farming was referenced by Assistant Director Otterness. Member of the public Mike Stevenson representing the Nicollet Conservation Club indicated past performance by the State does not ensure that a statewide ban would happen in 2022, as well as the significant differences in the proposed legislation two files may lead to two different outcomes at the State level. Statements by Mike Stevenson, Nicollet Conservation Club, were made to request a new Nicollet County deer farm ban be put in place. Mr. Stevenson's concern was about potential new farms possibly impacting the wild deer in the area. The one existing deer farm known in Nicollet County would not be impacted by this request. Motion by PC Dave Ubel, Seconded Commissioner Marie Dranttel, directing Staff to draft language for a one year moratorium on any new deer farms in Nicollet County. Vote 4 YES 0 NO The moratorium information will be presented and discussed at the next Planning and Zoning Advisory Commission meeting.
	Second Item of Other Business The requested text amendment from the March 21, 2022 meeting is being further investigated. Staff is researching ordinance from counties in the surrounding area for the inclusion of solar in their Shoreland districts. Staff is in consultation with the Minnesota Department of Natural Resources regarding small roof mounted solar as an accessory on permitted structures in the Shoreland district. Findings will be brought before the Planning and Zoning Advisory Commission for continued discussion and recommendations.

REVIEW OF PERMITS	No questions or comments		
COMMUNICATIONS	None		
MOTION TO ADJOURN			
1ST	David Hermanson ☐ Chair	Dave Ubel ☐ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☒	
2ND	David Hermanson ☐ Chair	Dave Ubel ☒ Vice Chair	Marie Dranttel ☐ Commissioner Terry Morrow ☐ Commissioner, Alternate
	Justin Laven ☐	Lloyd Hoffmann ☐	
DAVID HERMANSON, CHAIR		DATE	
SPENCER CRAWFORD, DEPUTY ZONING ADMINISTRATOR		DATE	

Draft



05/01/2022 - 05/31/2022 Permit Report

RECORD ID	RECORD TYPE	DESCRIPTION	ADDRESS	OWNER NAME
BLD22-00083	Structure Permit	Replace treated wooden foundation with concrete foundation. House size to remain the same. Gary Goldschmidt to lift house and Owner to do construction. Compliance inspection submitted	42030 JUDSON BOTTOM RD N MANKATO, MN 56003	VOIGHT CODY J
BLD22-00084	SSTS Permit	Holding tank for new hog barn office, bathroom and shower	0	HAVEMEIER WAYNE E & SHELLY R HAVEMEIER
BLD22-00085	SSTS Permit	Septic system for a new 4 bedroom house. New 2250/3 septic tank/ pump tank combination. New mound soil treatment area designed for this house. Secondary site identified on plan.	42784 541ST AVE COURTLAND, MN 56021	LUEPKE MATTHEW
BLD22-00086	SSTS Permit	Temporary holding tank for new business until city sewer is extended in 2023. Tank to be serviced by St. Peter well. Disposal at the City WWTP. Once city sewer is available connection must be made and the tanks legally abandoned per MN Rule 7080	0 OLD MINNESOTA AVE SAINT PETER, MN 56082	WEELBORG RUTH ANN REVOCABLE TRUST
BLD22-00087	Structure Permit	Construct a 48' wide, 80,000 bushel grain bin.	0 425TH AVE ST PETER, MN 56082	NORELL BYRON C
BLD22-00088	Structure Permit	Construct a fence on the rear and side of the house	36201 BOYD DR ST PETER, MN 56082	MARTENS ROBERT L & MELISSA MARTENS
BLD22-00089	Structure Permit	Construct an attached 12x16 porch/living room in location of existing deck. Owner doing construction. Septic compliance received in 2022	37517 375TH AVE ST PETER, MN 56082	GREY BRIAN & PEGGY GREY
BLD22-00090	SSTS Permit	Replacement Septic system for a4 bedroom house	60501 VALLEY HILLS DR NEW ULM, MN 56073	MUNSTERTEIGER ADAM DUANE & AMANDA MUNSTERTEIGER
BLD22-00091	SSTS Permit	Replacement Septic system for a 2 bedroom house	38995 551ST AVE NEW ULM, MN 56073	ULRICH KEVIN
BLD22-00092	SSTS Permit	New septic for new house.	800 6TH ST LAFAYETTE, MN 56054	HAGBERG MATTHEW & MARK HAGBERG
BLD22-00093	Structure Permit	Construct a 48' Diameter 62,000 bushel grain bin	37866 587th AVE Lafayette, MN 56054	KLOSSNER LEONARD J
BLD22-00094	Structure Permit	8.5 x 10 addition to existing control room shed. Final dimension of 8.5x20.	0	MEYER LOUANN M
BLD22-00095	SSTS Permit	Replacement septic system for a 4 bedroom house.	45318 JEREMY DR NEW ULM, MN 56073	KLOECKL BRYCE A & TAYLOR C KLOECKL
BLD22-00096	SSTS Permit	Replacement septic system for a 3 bedroom house	44858 FORT RD NICOLLET, MN 56074	HAVEMEIER STEVEN & JANET HAVEMEIER
BLD22-00097	SSTS Permit	Replacement septic system for a 4 bedroom house	56487 FORT RD NEW ULM, MN 56073	WURTZBERGER SHEILA L
BLD22-00098	SSTS Permit	Replacement septic system for a 4 bedroom house	61180 FORT RD NEW ULM, MN 56073	BERG KATHLEEN A FAMILY FARM TRUST
BLD22-00099	Structure Permit	14x20 house addition for sun room and storage area.	37058 667TH AVE NEW ULM, MN 56073	DUMMER FAMILY REVOCABLE LIVING TRUST
BLD22-00100	Structure Permit	Construction of a new 3 bedroom house. Septic plans submitted by St. Peter Well. Existing house must be removed within one year of house construction completion.	40680 436TH St St. Peter, Minnesota	SEITZER GERALD FRANK TRUST
BLD22-00101	Structure Permit	Construct a new 4 bedroom house on a newly split parcel. This construction fills the development for this 1/4 1/4. New address will be assigned for this location.	40018 State Highway 22 St Peter, MN 56082	CONLON THOMAS G & ANN M CONLON REVOCABLE TRUST
BLD22-00102	Structure Permit	Temporary Structure permit for 2 - 8x36 construction trailers for the Hwy 14 project. Permit for 3 years. Trailers must be removed as soon as the project is complete. Portable toilets in place for sewage treatment.	46266 547TH LN COURTLAND, MN 56021	KOHN TIMOTHY L
BLD22-00103	SSTS Permit	Septic system for a new 4 bedroom house on a new parcel split. Address to be assigned New septic tank pump tank combination and new mound soil treatment area.	34130 615TH AVE GIBBON, MN 55335	JOHNSON RANDAL V & PAMELA L JOHNSON
BLD22-00104	Structure Permit	Replacement 10 x 16 shed, original was destroyed in a storm. Shed is nonconforming but is being replaced like for like. Septic compliance valid through 2023.	50861 430TH LN NEW ULM, MN 56073	KUBE WENDY
BLD22-00105	Structure Permit	New 1862 sf 4 bedroom residential dwelling with a 925 sf garage. Single story with a walk out basement.	34130 615TH AVE GIBBON, MN 55335	JOHNSON RANDAL V & PAMELA L JOHNSON
BLD22-00106	SSTS Permit	New Septic system for a new 4 bedroom house on a newly split parcel. New Address to be assigned.	40018 State Highway 22 St Peter, MN 56082	CONLON THOMAS G & ANN M CONLON REVOCABLE TRUST
BLD22-00107	SSTS Permit	Replacement septic system for a 3 bedroom house. New tanks and new soil treatment area	48410 OLD RIVER BLUFF RD ST PETER, MN 56082	WORDEN RAYMOND E
BLD22-00108	Structure Permit	New 122' x 200' total confinement swine finishing barn with an 8' deep underfloor concrete liquid manure storage area and 24' x 26' office. Approved via Conditional Use Permit PLN22-005.	0	HAVEMEIER WAYNE E & SHELLY R HAVEMEIER

05/01/2022 - 05/31/2022 Permit Report

RECORD ID	RECORD TYPE	DESCRIPTION	ADDRESS	OWNER NAME
BLD22-00109	Structure Permit	New 42' diameter, 50,000 bushel grain bin. Replacing an old grain bin that has been removed.	37759 541ST AVE LAFAYETTE, MN 56054	OSWALD ALLEN J & DAWN OSWALD
BLD22-00110	Structure Permit	New 36' x 14' grain bin, 8' x 12' equipment shed.	54480 COUNTY ROAD 15 NEW ULM, MN 56073	FLUEGGE KEVIN D
BLD22-00111	Land Alteration Permit	New mineral extraction pit to obtain fill dirt for the expansion of Highway 14. Operation covers Parcels 04.034.0500, 04.034.0600, 04.034.0700, 04.034.1400, 04.034.1300, 04.034.1200, 04.034.1100, 04.034.1000, and 04.034.1600. All parcels are in common ownership of John Heymann. Approved via CUP PLN22-04. Land alteration fee paid on the CUP permit.	0	HEYMANN JOHN H