

Monday September 30, 2019

The Deuel County Zoning Board met on Monday, September 30, 2019, at 6:00 p.m., in the Commissioner's Room of the Courthouse in Clear Lake for a Special Meeting. Those present were members Dennis Kanengieter, Steve Rhody, Paul Brandt, Kevin DeBoer and Mike Dahl. Also present were Attorney John Knight, Zoning Officer Jodi Theisen and public citizens.

Chairman Dennis Kanengieter called the meeting to order.

Motion by Rhody, seconded by Brandt, to approve the September 30, 2019, Agenda. All voted in favor and motion carried.

Hollywood Feeders (Chad Olsen) and the owner Gary Balbach, on property owned by the Sandra Balbach Trust applied for a Special Exception. The request, if granted, would permit the applicant to use the following property: N1/2NW1/4 & S1/2NW1/4 of Section 17-T113N-R49W, Blom Township, Deuel County, South Dakota, to amend the existing Special Exception, issued on July 13, 2009, due to a modification to the existing manure handling process to include composting in a designed and certified area of the facility. Kurt Dagel, agronomist for Hollywood Feeders, stated that they have been thinking of this process of composting for some years. They would like to use the compost to decrease their fertilizers need by 75%. They will decrease the offsite transport and reduce odor and flies.

Elliot De Jongh, P.E., CENTROL Crop Consulting, stated the updated site plan would consist of construction of 7' x 160' composting lanes that will be made, with a clay liner, and the proposed site would be 10 acres. The windrows of manure would be covered with a felt blanket. Construction of a holding pond with a clay liner, the holding pond would be about 4 acres. De Jongh stated that he provided the engineering services for the various parts of the application. The holding pond will have 2 foot of freeboard and they will pump the water when needed. The water would be knifed into the fields. He stated that they are not going any closer to the residence or well to the north, than the existing buildings. De Jongh talked about the nutrient plan, the manure plan, and the fly and odor control plan.

Dagel stated that moisture is not a good thing for composting that is why they will have felt blankets on the windrows. They would spread the compost during the months of August thru November. Dagel stated that there will be people assigned to the composting area throughout the process. They are trying to get away from the raw manure not being covered.

Dan Rhody, Dennis Stroschein, Al Moore, Troy Lenning, Bruce Haringa, and Albert Moore, neighbors and township members, stated their concerns about the odor, flies, and traffic.

The Board talked about how this site had complaints in the past regarding manure storage. Olsen stated that is why they are applying for this amendment to help with that problem. Dahl stated that if this doesn't help and there are more complaints then the next step as the Board of Adjustment is decrease the number of animal units at the CAFO.

The Board determined that it is empowered under the section of the ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest. The Board then made written findings as required by Section 504, subparagraph 5(a-h), of the Ordinance.

Motion by Brandt, seconded by DeBoer, to grant the amendment to the existing Special Exception, issued on July 13, 2009, for the modification to the existing manure handling process to include composting in a designed and certified area of the facility, contingent upon being granted a renewal of their State Class "A" CAFO Permit, also not to apply manure within 600 feet from Albert Moore's property line. To submit to the board an updated Manure Management Plan including maps of each field with specifically defined spreading areas. All voted in favor of and the motion carried.

a) Entrance to and exit from property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe: Applicant will have adequate entrance and exit.

b) Off-street parking and loading areas where required, with particular attention to the items in (a) above and the economic, noise, glare, odor or other effects of the special exception on adjoining properties and properties generally in the district: Applicant has sufficient off-street parking. Loading is not a concern. The special exception will not have any more economic, noise, glare, odor or other effects on the adjoining properties or properties generally in the district.

c) Utilities, with reference to locations, availability, and compatibility: Applicant has sufficient other utilities available to it.

d) Screening and buffering with reference to type, dimensions, and character: Applicant will not change any of the existing screening or buffering.

e) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district: Does not apply.

f) Required yards and other open spaces: Applicant has adequate yard and other open spaces.

g) General compatibility with adjacent properties and other property: Applicant's proposed use is generally compatible with the adjacent properties. The proposed composting site is further away than the existing barn from the residence to the north. Composting the manure should improve the site. The amendment should result in a decrease in the problems with smell, road wear and tear, fly problems and other environmental concerns.

h) Refuse and service areas, with particular reference to the items in (a) and (b) above: There are no concerns regarding refuse or service areas. Applicant has a contract with a refuse service to pick up any garage.

Kanengieter called the meeting.



Jodi Theisen
Zoning Officer



Paul Brandt
Vice Chairman, Zoning Board