POPE COUNTY
MINNESOTA

MEETING MINUTES
POPE COUNTY PLANNING ADVISORY COMMISSION
Thursday, March 27, 2025

The Planning Advisory Commission convened in regular session on Thursday, March 27, 2025 at the Pope County Courthouse, 3rd floor Meeting Room.

Members Present: Roger Isdahl, John Messenger, Kathy Christiansen, Ted Kannegiesser, Mark Halls, Russell Barkeim, and Paul Gerde (County Commissioner).

Other Officials Present: David Green (Land & Resource Management, Director), Jessica Hill (Land & Resource Management, Deputy Director), Ariel Hughes (Feedlot Officer) and Shelley Retrum (Sr Administrative Associate)

Call to Order

The meeting was called to order by Chairman Messenger at 6:26 p.m.

Additions and Corrections to the Agenda

There were no additions or corrections to the agenda. A motion to accept the agenda as prepared was made by Commissioner Gerde and seconded by Commissioner Halls. Motion carried unanimously.

Review minutes of February 27, 2025 Regular Meeting of the PAC

The minutes of the Planning Advisory Commission meeting that was held on February 27, 2025 were submitted for approval. Motion to accept the minutes as written was made by Commissioner Isdahl and seconded by Commissioner Barkeim. Motion carried unanimously.

Tabled/Old Business

None.

New Business

Interim Use Permit #IUP-25-001, **Blake and Erin Jaenisch** (present by WebEx) PID# 02-0566-000

The applicant seeks permission to have a Recreational Vehicle (RV) onsite on their riparian parcel located on the west side of Lake Amelia. The RV unit is proposed to be located onsite for a period of time greater than 90 consecutive days, will be connected to an onsite subsurface sewage treatment system and will meet all required setbacks.

Director Green presented the staff report and noted that the applicant's request does meet all the standards and after review of the application staff recommends approval with conditions stated in the staff report.

Applicant Erin Jaenisch was present via an online video conference, WebEx, and was given an opportunity to provide additional information and comments. Applicant had no further comments to add to the presentation by Director Green.

Chairman Messenger opened the hearing for public comments. There were no comments offered from the public in attendance, for or against the proposal at this time. Chairman Messenger closed the public hearing.

The Planning Advisory Commission site team, comprised of members, Barkeim, Christiansen, and Messenger, provided comments about their onsite observations. Christiansen commented that it is a clean and very well-kept site and did not see any issues to note. Barkeim and Messenger agreed with comments made by Christiansen.

Halls asked about septic information on the site. Director Green responded it does have a Type I septic system designed for a three-bedroom home and that the RV is utilizing this septic.

Hearing no further discussion, Chairman Messenger called for a motion.

Motion:

Planning Commissioner Christiansen made motion to recommend approval of the Interim Use Permit provided that the conditions as identified in the staff report are complied with. Conditions as follows:

1. The Interim Use Permit being in effect for a period of 3 years. At that time, the site is to be re-evaluated by the Land & Resource Management department for compliance with use, septic, setbacks and other defined performance standards. If compliant, the Director may continue the permit for an additional 3-year period.
2. **Any** additional RVs are subject to the time limitation of seventy-two (72) hours as prescribed in Section 10.15.B.5.
3. Wastewater from the RV is not to be discharged to the ground surface. It is to be treated by an onsite Type I septic system, a Type II septic system consisting of a holding tank, or hauled off site to a recognized dumping station or treatment facility.
4. Demonstrated conformance with MN Rules 7080 Subsurface Sewage Treatment Systems Program must be provided in the form of a current Certificate of Compliance for any existing onsite wastewater system.
5. No part of this parcel or development is to be advertised to the public as a for fee campground or for any type of vacation rental offering.
6. As this application is being considered based upon standards and procedures as established by the Pope County Land Use Controls Ordinance, the effect of this Interim Use Permit is specific to those standards. The applicant is encouraged to familiarize themselves with any Township standards that may be applicable including setback provisions, special use permits and building permit requirements.

7. Failure to meet any of the conditions listed above may result in revocation of this permit following procedures established by and listed in the Pope County Land Use Controls Ordinance.

This motion was seconded by Commissioner Gerde. With no further discussion, motion carried with Barkeim opposed. Findings as follows:

1. **The project is in compliance with the setback and other provisions of this ordinance unless a variance has been granted:**

   Finding: The proposed use involving the locating of an RV on a shoreland designated parcel will be in compliance with the setback requirements and other provisions of the Pope County Land Use Controls Ordinance for such use.

2. **The use is not in conflict with the County Comprehensive Land Use Plan:**

   Finding: The current Comprehensive Plan includes goals that state a recognition of diverse and existing land uses throughout the county. It is noted that not all uses are compatible and that there should be consideration as to separation, siting, development requirements and operating standards. Based on the proposed land use including distance from sensitive environmental features, roadway and neighboring properties, the proposed use is not in conflict with the County Comprehensive Plan.

3. **That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish or impair neighborhood property values in the area and will not interfere with the best interest of the surrounding area or the community as a whole:**

   Finding: The use of shoreland recreational property to locate an RV upon is permissible based on the Pope County Land Use Controls Ordinance. There are many examples of RVs being used on recreational properties. The use will not likely diminish or impair the use and enjoyment of neighboring properties or interfere with the surrounding community as a whole.

4. **The use will not create an excessive burden on parks, schools, streets, water supply, public drainage systems and other public facilities and utilities which serve or are proposed to serve in the area:**

   Finding: This land use is not expected to have any negative impacts on public infrastructure.

5. **The structure and sites shall have an appearance that will not have an adverse effect on adjacent properties:**

   Finding: The owners have improved the site and it is expected to remain neat and orderly in appearance.

6. **The road on which the project is proposed is adequate to handle increased traffic during operation, and that the use will not cause traffic hazards or congestion:**

   Finding: The existence of an RV on the riparian parcel is not likely to have any impact relating to traffic or use of the roadway system.

7. **Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, odor, or general unsightliness:**

   Finding: There are no known nearby nonagricultural businesses. So, the existence of the RV on the riparian parcel will not have any impact on nearby businesses.

8. **That the establishment of the use will not impede the normal and orderly development and improvement of surrounding vacant property uses predominant to the area:**

   Finding: The adjacent properties are platted with intent for shoreland recreational development. Most of these properties have been developed with residential structures and storage sheds. To the west is land in agricultural production or recreational use. So, the proposed use to locate an RV on the riparian parcel will not conflict with existing uses or impede orderly development of adjacent properties.

9. **That adequate utilities, drainage and other necessary facilities have been or are being provided:**

   Finding: Any necessary utilities, drainage, septic systems or other facilities will be addressed prior to and as a condition of issuance of any land use permit.

10. **That adequate measures have been or will be taken to prevent or control rodents, insects, offensive odors, fumes, dust, noise, and vibration in order that none of these will constitute a nuisance, and that adequate measures have been or will be taken to prevent negative impacts on surface water, groundwater, and air quality, and that measures have been taken to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result:**

    Finding: The site is expected to remain neat and orderly in appearance. As such, the site should not have a negative impact on neighboring properties with noise, dust, appearance, and other nuisances or impacts.

Conditional Use Permit #CUP-25-003 **Anderson Family Farms** (Isaac and Grant Anderson present) PID# 12-0149-000

The applicant seeks a conditional use permit to construct a new total confinement finishing swine facility with 720 animal units / 2400 head of swine. The facility consists of a 123 ft by 164 ft tunnel ventilated barn with slats over an in-ground 8 ft deep concrete manure storage pit. The proposed facility and land use is permissible in an Agricultural Protection (A-2) zoning district.

Director Green presented the staff report and comments that Feedlot Officer Ariel Hughes has reviewed the Manure Management Plan and 6-Year Phosphorus Management Plan provided by the applicants that complies with MPCA 7020 Rules and helps to mitigate any negative impact on the surficial aquifer. An *Odor from Feedlot Setback Estimation Tool (OFFSET)* developed by the Department of Bioproducts and Biosystems Engineering, was used to assess the air quality impacts from this facility. The model indicates that odor will be diminished enough to not likely be a nuisance at 5,500 feet. Effective odor control includes a combination of best management practices including regular cleaning of the site, manure handling strategies, the use of a filtration

system, proper building ventilation, chemical additives, shelter belts and other technologies. Based on the review of the application and supporting materials, staff recommends to approve with conditions stated in the staff report.

Applicants Isaac and Grant Anderson are present and given an opportunity to provide additional information. Isaac comments that he *would like to go over some fact checking on some comments that were received and presented in the staff prepared report that we received. The nearest neighbor is approximately 3500 feet straight east. The graph document we submitted, according to the OFFSET calculator, we would be at 98% odor annoyance free rating which as far as a geographical location puts us in a good location. We chose this spot for this reason.* Grant comments *the proposed site is a half a mile off County Road 29 so in my opinion I am not sure how this could be considered at a nuisance level to the surrounding neighbors.*

Commissioner Barkeim comments *is it liquid manure and at times would you need to surface apply?* Applicant Grant Anderson comments *the pit will hold more than a year and closer to 16 months especially because the new waterers we use reduces water waste.*

Commissioner Isdahl comments *is this the standard size for your kind of operation and do you anticipate any expansion?* Applicant Grant Anderson comments *this would be the only site and we will not grow this site. This is the size that works best for us.*

Chairman Messenger opened the hearing for public comments.

Brad Kollman comments *we live about a mile southwest and I have just a few questions. One question is for Commissioner Halls, how many pigs would you say you have at your location?* Halls comments *2400 pigs.* Brad Kollman comments *we live about two miles north of your barn and we can smell it at times. I just want that noted. My other concern is that the Anderson's stated that the plan is not to expand but will expansion be allowed by the county?* Director Green comments *it is zoned as Agriculture Protection which allow for up to 2000 animal units. Expansion is possible but would be limited by where the residences are located by reciprocal setbacks.* Brad Kollman comments *if this is passed, could this possibly be a condition to limit any expansion.*

Travis Levitz comments *I am in negotiations to purchase some land in this area from Earl Hauge and my question is there anything in place to help with the sound control? When I am at home I do not want to deal with the sound, flies, or the pest control.*

Applicant Grant Anderson comments *it will be a tunnel ventilated barn and equipped with a set of fans that would be dispersing the air and sounds. I think it would be hard pressed to have issues with sound.* Applicant Isaac Anderson comments *the barn is located in a bowl. There are hills all the way around. This should help with sound.*

Commissioner Halls comments *noise isn't an issue in my barn and we have very few flies. When there are flies it lasts for maybe two weeks.*

Applicant Isaac Anderosn comments *I put a larvae treatment in the pit and I primarily do this for pig health but it should help with flies as well. The tunnel barn keeps them cool in the summertime and helps with performance.*

Chairman Messenger closes the public hearing.

The Site team, comprised of members Barkeim, Christiansen, and Messenger, provided comment about their onsite observations with Messenger stating *the topography makes sense to locate it there.* Barkeim comments *appreciate the extra expense on putting in the road and the bowl surrounding it is quite deep.* Christiansen comments *there is a ridge along the whole thing so this topography is helpful and a good location for this agricultural use.*

Commissioner Gerde comments that *Chippewa Falls Township did not have a problem with this hog barn going in.*

Motion:

Planning Advisory Commission Chair Messenger seeks a motion on the matter. Planning Commissioner Christiansen made motion to approve the conditional use permit in accordance with the conditions as presented in the staff report. Conditions as follows:

1. Prior to construction and occupancy of the feedlot, all aspects of the Pope County Land Use Controls Ordinance and MPCA 7020 Rules are conformed to as verified by Land & Resource Management staff.
2. Prior to any construction activities or the stocking of livestock, that all necessary permits are secured from Township, County and State agencies.
3. The feedlot facility does not exceed 720 animal units at any time.
4. The applicant must maintain a manure management plan to accommodate manure produced by the number of animals registered for the site. The plan must be written to address all items regulated in MPCA Chapter 7020.2225 and all additional requirements of this permit. The manure management plan must be approved in writing by the County Feedlot Officer or their designee before the plan may be implemented.
5. All aspects of the approved manure management plan must be followed at all times during the operation of the feedlot. Any changes to the plan must be submitted in writing to the Land & Resource Management Office (County Feedlot Officer or Director) for review and approval thirty (30) days prior to the proposed changes taking affect.
6. All manure applications (upon the ground surface) must comply with MPCA Chapter 7020.2225 and the Pope County Land Use Controls Ordinance Section 10.22.
7. Failure to meet any of the conditions listed above may result in revocation of this permit following procedures established by and listed in the Pope County Land Use Controls Ordinance.

This motion was seconded by Commissioner Isdahl. With no further discussion, motion carried with Halls abstaining. Findings as follows:

1. **The project is in compliance with the setback and other provisions of this ordinance unless a variance has been granted:**

Finding: Any proposed structure and/or use will necessarily be in compliance with the provisions of the Pope County Land Use Controls Ordinance as a condition of the permitting unless a variance has been granted.

2. **The use is not in conflict with the County Comprehensive Land Use Plan:**

Finding: The current Comprehensive Plan includes goals that state a recognition of diverse and existing land uses throughout the county. A stated goal is to protect areas most suitable for a strong and viable agricultural industry. It is evident that Pope County is a community with a long history of agricultural land use activities and that the adopters of the Plan intended it to continue to be so. However, it is noted that not all uses are compatible and that there should be consideration as to separation, siting, development requirements and operating standards. Based on its geographic location, including distance from sensitive environmental features, roadway and neighboring properties, the proposed land use (feedlot) is not in conflict with the County Comprehensive Plan.

3. **That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish or impair neighborhood property values in the area and will not interfere with the best interest of the surrounding area or the community as a whole:**

Finding: The new feedlot is located in an agricultural region of the county where the immediate surrounding uses are agricultural in nature. Agricultural uses including feedlots of limited size are a common and integral part of the fabric of Pope County, including Chippewa Falls Township. There should be no negative impact or conflicts with existing uses.

4. **The use will not create an excessive burden on parks, schools, streets, water supply, public drainage systems and other public facilities and utilities which serve or are proposed to serve in the area:**

Finding: The proposed land use is not expected to have a significant negative impact on public infrastructure.

5. **The structure and sites shall have an appearance that will not have an adverse effect on adjacent properties:**

Finding: The proposed project involves the construction of a feedlot facility. The site is expected to remain neat and orderly in appearance and should not have an impact on the adjacent properties.

6. **The road on which the project is proposed is adequate to handle increased traffic during operation, and that the use will not cause traffic hazards or congestion:**

Finding: The new feedlot facility will gain access from a county road and is not expected to increase traffic or create any additional hazard.

7. **Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, odor, or general unsightliness:**

   Finding: There are no known nearby businesses that would be adversely impacted by the proposed land use activity.

8. **That the establishment of the use will not impede the normal and orderly development and improvement of surrounding vacant property uses predominant to the area:**

   Finding: Existing nearby land uses are agricultural in nature. Therefore, the proposed land use will not conflict with those existing uses.

9. **That adequate utilities, drainage and other necessary facilities have been or are being provided:**

   Finding: Any necessary utilities, drainage or other facilities will be addressed prior to and as a condition of issuance of any construction activities permit.

10. **That adequate measures have been or will be taken to prevent or control rodents, insects, offensive odors, fumes, dust, noise, and vibration in order that none of these will constitute a nuisance, and that adequate measures have been or will be taken to prevent negative impacts on surface water, groundwater, and air quality, and that measures have been taken to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result:**

    Finding: Requirements of State rules and conditions proposed by staff, will limit and/or prevent negative impacts on surface and ground water, air quality and the aesthetics of the location.

Conditional Use Permit #CUP-25-002 **Mike's Auto Sales, LLC – Mike VanOverbeke** (present) PID# 04-0136-000

The applicant seeks a right to operate a used vehicles sales business located in the Non-Intensive Agricultural (A-1) zoning district.

Director Green presented the staff report and noted the site has previously been in commercial use and was permitted by Pope County under a Conditional Use Permit to operate a used car dealership. It will be used in the same fashion as previously. Staff recommends to approve with conditions stated in staff report.

Commissioner Halls asked about fluids from the cars. Director Green noted that the applicant should respond to this question.

Applicant Mike VanOverbeke was present and was given an opportunity to provide additional information and comments. Mike comments *I have been in contact with Walker Plumbing, Heating & Sewer Service and we will be installing two holding tanks. One for human waste and one for grease and oil. If there is a vehicle leaking, we identify it and get them fixed right away. Alexandria Electric has been out to the site and found exposed wiring so we are putting in new wiring to ensure we are up to code. As far as the septic design, Walker Plumbing is estimating*

that it will be May before he can complete the design; so, I am asking the Board's permission to utilize a porta john in the interim.

Commissioner Gerde asks about the parking of vehicles in relation to the site and meeting all necessary setbacks from the road right-of-way. Applicant Mike VanOverbeke confirms that *vehicles will remain out of the road right-of-way unlike the previous used vehicle operator before me. I also have confirmed the property lines with Nick Golden (Mn DOT) and will meet all of the necessary setbacks.*

Commissioner Messenger asks about how many vehicles does the applicant anticipate on the lot at one time. Applicant Mike VanOverbeke comments *approximately 50 to 100 vehicles with about 70% of his operation being from auctions and approximately 30% is retail.*

Commission Chair Messenger opened the hearing for public comment. Hearing no public comments, Messenger closed the public hearing.

The Planning Advisory Commission site team, comprised of members, Barkeim, Christiansen, and Messenger, provided comment about their onsite observations. Barkeim comments *it seems like a perfect spot for this kind of operation.* Christiansen comments *it certainly is a perfect spot and a good use of a building that already exists.*

Hearing no more discussion, Commission Chair Messenger called for a motion.

Motion:

Commissioner Barkeim made motion to recommend approval of the conditional use provided that the conditions as identified in the staff report and as amended, to allow a porta john to be in place on the site until the septic system is installed, are complied with. Conditions as follows:

1. That prior to use/occupancy, that a SSTS (septic) design be completed by a MPCA Licensed Septic Designer, a septic permit applied for, the permitted septic system be installed by a MPCA Licensed Septic Installer, and inspected by Pope County.
2. That the structure and use be ADA compliant.
3. All outside lighting must be hooded and directed straight down.
4. Any sign advertising the business must be located outside of the right-of-way, may be no larger than 48 sq. ft. on each side, and may be no more than 15 ft. in total height. The sign may not be lighted except for ground-level, flagpole-type lighting.
5. Signage and advertising are limited to the onsite business.
6. Operating hours should be posted and adhered to.
7. All vehicles must be located outside of the State Highway 55 right-of-way.
8. Any change in the use (other than the permitted uses in the zoning district or what is included in this permit) or expansion of the business shall require a conditional use permit.

9. The owner understands that future development of this site may be conditioned upon mitigating any impacts of non-compliance with the Pope County Land Use Controls Ordinance.
10. That prior to any construction activities or placement of signage, that all necessary permits are secured from Township, County and State agencies.
11. That prior to business operations, that all other state and local permits, licenses and approvals shall be obtained for the operation of the business.

This motion seconded by Commissioner Christiansen. Motion carried unanimously. Findings as follows:

1. **The project is in compliance with the setback and other provisions of this ordinance unless a variance has been granted:**

   Finding: Any proposed structure and/or use will necessarily be in compliance with the provisions of the Pope County Land Use Controls Ordinance as a condition of the permitting unless a variance has been granted.

2. **The use is not in conflict with the County Comprehensive Land Use Plan:**

   Finding: The current Comprehensive Plan includes goals that state a recognition of diverse and existing land uses throughout the county. It is noted that not all uses are compatible and that there should be consideration as to separation, siting, development requirements and operating standards. The Comprehensive Plan also states that the ground and surface water resources should be protected for future use and enjoyment and that there should be ample overview, regulation and standards to prevent activities that are not sound from an environmental perspective. Based on the proposed land use including distance from sensitive environmental features, roadway and neighboring properties, the proposed use is not in conflict with the County Comprehensive Plan.

3. **That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish or impair neighborhood property values in the area and will not interfere with the best interest of the surrounding area or the community as a whole:**

   Finding: The proposed use is located along State Highway 55, just north west of the community of Lowry. There is a variety of land uses surrounding the property. Some of the land uses in the area include industrial, commercial, and residential. There should be no negative impact on any of these existing uses.

4. **The use will not create an excessive burden on parks, schools, streets, water supply, public drainage systems and other public facilities and utilities which serve or are proposed to serve in the area:**

   Finding: This land use is not expected to have a significant negative impact on public infrastructure.

5. **The structure and sites shall have an appearance that will not have an adverse effect on**

adjacent properties:

Finding: The site is expected to remain neat and orderly in appearance.

6. **The road on which the project is proposed is adequate to handle increased traffic during operation, and that the use will not cause traffic hazards or congestion:**

   Finding: The road network is adequate to handle traffic associated with the operation of the business.

7. **Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, odor, or general unsightliness:**

   Finding: There should not be any negative impacts related to the intrusion of noise, glare, odor or general unsightliness upon nearby existing businesses.

8. **That the establishment of the use will not impede the normal and orderly development and improvement of surrounding vacant property uses predominant to the area:**

   Finding: There are a variety of neighboring land uses. The proposed land use will not conflict with existing uses.

9. **That adequate utilities, drainage and other necessary facilities have been or are being provided:**

   Finding: Any necessary utilities, drainage or other facilities will be addressed prior to and as a condition of issuance of any construction activities permit.

10. **That adequate measures have been or will be taken to prevent or control rodents, insects, offensive odors, fumes, dust, noise, and vibration in order that none of these will constitute a nuisance, and that adequate measures have been or will be taken to prevent negative impacts on surface water, groundwater, and air quality, and that measures have been taken to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result:**

    Finding: The site is expected to remain neat and orderly in appearance. As such, the site should not have a negative impact on neighboring properties with noise, dust, appearance, and other nuisances or impacts.

Ordinance Amendment Consideration:

Director Green has discussion with Board Members in reference to the Solid Waste Ordinance and Land Use Controls Ordinance Amendments.

Adjournment

Motion by Commissioner Gerde to adjourn the Planning Advisory Commission meeting with a second by Commissioner Barkeim. Motion carried unanimously. Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Shelley Retrum, Sr. Administrative Associate
Pope County Land & Resource Management

David Green, Director
Pope County Land & Resource Management