

## MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

Tuesday, May 13, 2025 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN.

MEMBERS PRESENT: Louwagie, Sleiter, Olson, Meulebroeck

OTHERS PRESENT: Biren, Crowley, Graupmann, Alan Manguson, Todd Meulebroeck, Dennis Meulebroeck

ABSENT: DeBaere

Olson opened the meeting at 7:02 p.m.

All present recited the Pledge of Allegiance

Identify any conflicts of interest: None

AMEND/APPROVE AGENDA: Sleiter moved, seconded by Louwagie to approve the agenda as presented. All in favor, motion carried.

Minutes for the April 8, 2025 meeting reviewed. Sleiter moved, seconded by Meulebroeck to approve the minutes as presented. All in favor, motion carried.

### BOARD OF ADJUSTMENTS:

*Biren – Reads Variance Permit for Alan Manguson to construct an attached garage 50 feet from the Ordinary High-Water Level of the Cottonwood River.*

A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Alan Manguson, 2017 County Road 11, Tracy MN, 56175 for a Variance Request to construct an attached garage 50 feet from the Ordinary High-Water Level of the Cottonwood River. The Cottonwood River is considered an Agricultural River. The required set back is 100 feet from the Ordinary High-Water Level. This request is a 50 feet variance on land zoned Agricultural. The property is described as:

Part of the Southeast Quarter of Section Eleven (11), Township One Hundred Ten (110), Range Forty (40) Amiret Township, Lyon County, Minnesota.

A Public Hearing on the Variance Request will be held by the Lyon County Board of Adjustments, Commissioners Room of the Lyon County Government Center, Marshall, Minnesota, on Tuesday, May 13th, 2025, at 7:00 p.m.

*Biren – Township and 10 closest neighbors have been notified. Also notified DNR and spoke with Kyle Jarcho, Area Hydrologist. There was no opposition from him.*

*Biren: Introduces Manguson and has him tell the board why he wants the project.*

*Manguson: Would like a spot to park his pickup. The current garage, single stall, isn't deep enough to park anything larger in it. Would like to have an attached garage, 32' x 40', 10' doors. Septic system goes right behind the house and the drainfield is south of the garage. The well is to the southwest. With those be located where they are, the attached garage has to go where it. Water has been up, but not to the house.*

*Olson: Where will the driveway and entrance for the garage be?*

*Manguson: It will come kitty corner from where it is at now. It will be away from the well.*

*Biren: Talk about your existing garage.*

*Manguson: The garage is part of the house, including a walkway to the backdoor. The laundry room is right there too.*

*Olson: That is why it needs to be where you want to put it. You couldn't put it anywhere else. Any other questions?*

*Biren: I was out there measuring with Allen. It will not be any closer to there river than where the house is now.*

*Sleiter: Is this considered floodplain?*

*Biren: I'm not saying it won't flood out. It is 6' higher than that point.*

*Manguson: The house has been there for 50 years or more. The basement has had some water in it after a large rain.*

*Olson: Any other comments or questions?*

*Biren: Aerial photography - the river hasn't moved a lot. It is pretty stable there.*

*Olson: Move on to findings of fact. Goes over with board.*

*Board moves onto motions. Biren reads motions into record.*

Sleiter moved, seconded by Meulebroeck to grant a variance request to Alan Manguson to construct an attached garage 50 feet from the Ordinary High-Water Level of the Cottonwood River. The Cottonwood River is considered an Agricultural River. The required set back is 100 feet from the Ordinary High-Water Level. This request is a 50 feet variance on land zoned Agricultural. The property is described as:

Part of the Southeast Quarter of Section Eleven (11), Township One Hundred Ten (110), Range Forty (40) Amiret Township, Lyon County, Minnesota

Applicant to comply with all zoning requirements.

With the following stipulations:

1. That if any of the work performed as allowed by the granting of this variance is ever impacted or required to be removed, the cost of such impact shall be borne by the landowner, including removal and/or relocation of property and facilities.
2. Must obtain a building permit prior to construction.
3. The purpose of which the variance was granted shall be undertaken by the applicant within 18 months of the granting of the variance. For good cause, the Zoning Administrator may grant an administrative extension of up to 12 months. Said extension shall be in writing. If the applicant fails to establish use of the variance within said time limits, the variance shall expire.
4. Adopt Findings of Fact as part of Motion.
5. A copy of this Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

VOTING FOR: Olson, Sleiter, Meulebroeck, Louwagie

OPPOSED: None

ABSTAINED: None

ABSENT: DeBaere

DATED – 5-13-25

**PLANNING COMMISSION:**

*Biren - Reads Conditional Use Permit for Todd Meulebroeck for an expansion of an existing feedlot.*

A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Todd Meulebroeck, Owner/Operator, 1762 230TH AVE, Balaton, MN 56115, for a Conditional Use Permit request for an expansion of an existing feedlot and to hear public comment to fulfill Minnesota Session Law 2000 – Minn. Stat. 116.07, subd 7(l). The land is zoned agricultural. The land is explained and described as following:

**The North Five Hundred and Eighty-five (585) feet of the South Eight Hundred and Twenty-one (821) feet of the West Seven Hundred and Forty-five (745) feet of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4), also described as Government Lot 2, Section Thirty (30), Township One Hundred and Ten (110) North, Range Forty-one (41) West of the Fifth P.M., Lyon County, Sodus Township, Minnesota.**

The existing facility has 475 slaughter cattle or 475 AU in an open lot and a monoslope barn, proposed to increase to 210 slaughter cattle or 210 au increasing to 685 head, or 685 AU. The facility is proposing a new cattle barn with below concrete manure storage.

**Existing facilities:**

**Existing Monoslope Cattle Bedded Pack Confinement Barn (150' x 100') – Housing 325 Head**

**Existing Feedlot utilizing an open lot (8,161 S.F.) (To be eliminated) – Housing 150 Head**

**Existing Animal Unit (AU):**

**325 Head x 1 Animal Unit Factor = 325 AU**

**150 Head x 1 Animal Unit Factor = 150 AU (To be eliminated)**

**Proposed Facilities:**

**New: Total Confinement Cattle Barn with Concrete below Manure Storage approximately 210' x 68' with a below concrete pit 182' x 54' x 12' - Housing - 360 Head**

**Existing: Monoslope Cattle Bedded Pack Confinement Barn (150' x 100') – Housing 325 Head**

**Proposed Animal Unit (AU):**

**New: 360 Head x 1 Animal Unit Factor = 360 AU**

**Existing: 325 Head x 1 Animal Unit Factor = 325 AU**

**Final Animal Unit (AU) Capacity = 685 AU**

All manure will be stocked in pile(solid), in concrete structures (liquid) and will be applied agronomically up to two times a year.

A Public Hearing on the Conditional Use Permit and Feedlot Public Comment will be held by the Lyon County Planning Commission on Tuesday, May 13, 2025 at 7:00 p.m. in the Commissioner's Room of the Lyon County Government Center, Marshall, Minnesota.

*Biren goes over information in packet and introduces Todd Meulebroeck.*

*Meulebroeck: I have rural water. Rendering truck picks up dead animals. Would like to expand.*

*Biren: Setbacks have been met. Manure management will be on file. The river behind is not a public water.*

*Olson: Closest neighbor? Any issues?*

*Biren: Did get a call from the neighbor and no formal comments and no issues.*

*Olson: Let's move onto the Findings of Facts.*

*Biren: All loading and unloading will be off the road. All*

*Board goes through the findings of fact and agrees with the findings.*

*Board moves onto motions. Biren reads motions into record.*

Sleiter moved, seconded by Meulebroeck to recommend to the Lyon County Board of Commissioners to grant a Conditional Use Permit to Todd Meulebroeck, Owner/Operator, 1762 230TH AVE, Balaton, MN 56115, for a Conditional Use Permit request for an expansion of an existing feedlot and to hear public comment to fulfill Minnesota Statutes 116.07 subd. 7 (l). The land is zoned agricultural and described as:

**The North Five Hundred and Eighty-five (585) feet of the South Eight Hundred and Twenty-one (821) feet of the West Seven Hundred and Forty-five (745) feet of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4), also described as Government Lot 2, Section Thirty (30), Township One Hundred and Ten (110) North, Range Forty-one (41) West of the Fifth P.M., Lyon County, Sodus Township, Minnesota.**

**Existing facilities:**

**Existing Monoslope Cattle Bedded Pack Confinement Barn (150' x 100') – Housing 325 Head**

**Existing Feedlot utilizing an open lot (8,161 S.F.) (To be eliminated) – Housing 150 Head**

**Existing Animal Unit (AU):**

**325 Head x 1 Animal Unit Factor = 325 AU**

**150 Head x 1 Animal Unit Factor = 150 AU (To be eliminated)**

**Proposed Facilities:**

**New: Total Confinement Cattle Barn with Concrete below Manure Storage approximately 210' x 68' with a below concrete pit 182' x 54' x 12' - Housing - 360 Head**

**Existing: Monoslope Cattle Bedded Pack Confinement Barn (150' x 100') – Housing 325 Head**

**Proposed Animal Unit (AU):**

**New: 360 Head x 1 Animal Unit Factor = 360 AU**

**Existing: 325 Head x 1 Animal Unit Factor = 325 AU**

**Final Animal Unit (AU) Capacity = 685 AU**

All manure will be stocked in pile(solid), in concrete structures (liquid) and will be applied agronomically up to two times a year.

1. That the applicant undertakes the project according to the plans and specifications submitted to the county with the application.
2. That the permit is invalid if the holder has not started construction on the feedlot within a year of the issued land use permit.
3. That the county may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and other applicable statutes, rules, and ordinances.
4. Manure in a slurry or liquid form that must be applied in accordance to the manure management plan on file with the MPCA.
5. Manure being hauled on public roads must adhere to policies of the particular road authority involved.
6. The applicant shall obtain all appropriate licenses and permits relevant to the request. Agency involved could be the DNR, MPCA, Board of Animal Health, MDA, MDH, etc.
7. Dead animals shall be disposed of in accordance with the Board of Animal Health Regulations. (Structures used for storing dead animals prior to rendering or structures used for composting shall meet appropriate county and state regulations.)

8. The offset model must indicate 94% annoyance odor free.
9. The feedlot shall meet the minimum standards side, rear, and road right of way setbacks, other setbacks, and lot size. Any trees to be planted shall be at least 60 feet from the road right of way.
10. Violations of these conditions or other regulations found in the Lyon County Zoning Ordinance are grounds for enforcement proceedings.
11. Minimum lot size for an Animal Feedlot is 5 acres.
12. Adopt Findings of Fact as part of Motion.
13. A copy of the County Board's Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

VOTING FOR: Olson, Louwagie, Sleiter, Meulebroeck

ABSTAINED: None

ABSENT: DeBaere

DATED: May 13, 2025

ABSENT: Meulebroeck

DATED: April 8, 2025

Sleiter – Discussion about Townships. With the road construction, GPS routing may be sending people from County Road 9 and Highway 23. The road now has been barricaded as traffic has gotten out of control on the township road.

Motion to adjourn by Sleiter, second by Meulebroeck. All in favor, motion carried.

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Board of Adjustments/Planning Commission  
Chair

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John Biren, Lyon County P&Z Administrator