

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
April 28th, 2025, MEETING MINUTES
DRAFT**

The meeting of the Goodhue County Board of Adjustment was called to order at 5:00 PM by Chair Daniel Knott at the Goodhue County Government Center Board Room.

Roll Call

Commissioners Present: Daniel Knott, Randy Rechtzigel, Scott Breuer, Mark Huneke and Dennis Tebbe.

Commissioners Absent: Jeff Traxler

Staff Present: Land Use Management Director Megan Smith and Zoning Assistant William Lenzen.

1. Approval of Agenda

¹Motion by Commissioner Tebbe and seconded by Commissioner Huneke to approve the meeting agenda.

Motion carried 5:0

2. Approval of the previous month's meeting minutes

²Motion by Commissioner Rechtzigel and seconded by Commissioner Huneke to approve the previous month's meeting minutes.

Motion carried 4:0 (*Commissioner Tebbe Abstained*)

3. Conflict/Disclosure of Interest

Commissioner Huneke disclosed that he has family ties with the Bucks.

4. Public Hearings:

PUBLIC HEARING: Request for Variance to Solar Energy Systems Regulations (Article 19, Section 4)

Request for Variance, submitted by Lake City Catholic Worker Farm (Applicant) on behalf of Paul and Sara Freid (Owner) to allow construction of a Pole-Mounted Solar Array that will be 29 feet in total height, when the maximum height allowed is 20 feet. The property is zoned A-2. Parcel 32.027.0502. 33292 County 5 Blvd, Lake City, MN 55041. Part of the N1/2 of the SW1/4 of SEC 27, Twp 112, Range 13 in Florence Township.

Lenzen presented the staff report and attachments.

Commissioner Knott asked staff what the clearance is from the ground for the existing system.

Lenzen stated that the staff doesn't know what that clearance is.

Applicant stated that they want to move it so it's out of view. The existing system at full tilt is 2 feet off the ground.

Chair Knott opened the Public Hearing.

Ben Boege Stated that the solar panel will be taller than his house. He appreciates everyone for taking this into consideration.

³**After Chair Knott asked three times for comments, it was moved by Commissioner Rechtzigel and seconded by Commissioner Huneke to close the Public Hearing.**

Motion carried 5:0

Commissioner Breuer asked what the decommissioning plan is and what will be done about stray voltage.

Applicant stated that the existing panels will remain in place, and they will route the farm tours by the new panels.

Commissioner Breuer asked again if there was a decommissioning plan and what would be done about stray voltage.

Applicant stated they plan to run these panels for 50-plus years. When an individual panel fails, they can remove that panel to replace it with a new one. As for the stray voltage, he mentioned that he is not knowledgeable in this

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
April 28th, 2025, MEETING MINUTES
DRAFT**

area to know about stray voltage.

Commissioner Breuer stated that stray voltage is a concern, especially toward cattle.

Commissioner Tebbe stated that he has a 5 Mega Watt solar array 5 miles from himself.

⁴Motion by Commissioner Tebbe, seconded by Commissioner Huneke, for the Board of Adjustment to:

- adopt the staff report into the record;
 - adopt the findings of fact;
 - accept the application, testimony, exhibits, and other evidence presented into the record; and
- APPROVE** the Request for Variance, submitted by Lake City Catholic Worker Farm (Applicant) on behalf of Paul and Sara Freid (Owner) to allow construction of a Pole-Mounted Solar Array that will be 29 feet in total height, when the maximum height allowed is 20 feet.

Motion carried 5:0

PUBLIC HEARING: Request for Variance to Confined Feedlot Regulations (Article 13, Section 7)

Request for Variance, submitted by DJ Buck (Applicant) on behalf of David Buck (Owner) to allow construction of a new dairy barn that is proposed to be 50 feet from the side yard property line. When animal barns are required to be 100 feet from property lines. The property is zoned A-1. Parcel 33.019.0400. 37298 180th Ave, Goodhue MN 55027. The NW1/4 of Section 19, Twp 111, Range 15 in Goodhue Township.

Lenzen presented the staff report and attachments.

Commissioner Knott asked staff about the recommendations and if there were specific ideas.

Lenzen stated that we are open to any ideas that would closer meet that 100-foot setback requirement.

DJ Buck and Chris Buck stated that the topography does drop off quite a bit as you move to the east. They know the neighbor to the south very well and don't think they have any concerns. Chris talked about the EAW. There isn't any available dwelling density left in the section. They do have a manure management plan.

Commissioner Tebbe stated there is topo change but also there is the same change to the south where the building is being proposed.

DJ Buck stated that the barn has a 1% slope and to make the barn wider would pose challenges with more dirt work and a change of design.

Commissioner Knott asked how a 50-foot reduction in barn length would affect the operation.

Commissioner Tebbe asked how many stalls would be lost if the barn was 50 feet shorter.

DJ Buck stated that they would lose about 143 stalls.

Commissioner Knott asked staff if the section was at its maximum dwelling density.

Staff stated that the section has reached its maximum dwelling density.

Chair Knott opened the Public Hearing

No one spoke at the public hearing.

⁵After Chair Knott asked three times for comments, it was moved by Commissioner Huneke and seconded by Commissioner Breuer to close the Public Hearing.

Motion carried 5:0

Commissioner Breuer stated they are far off from County 9 and don't see a problem with this.

Commissioner Tebbe stated that if the neighbor has no problems. A variance could be granted.

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
April 28th, 2025, MEETING MINUTES
DRAFT**

Commissioner Rechtzigel stated that he wonders if the neighbor would be inclined to sell some land to the Bucks to meet the setback requirements.

DJ Buck stated that they rent those acres from the neighbor.

⁶Motion by Commissioner Huneke, seconded by Commissioner Breuer, for the Board of Adjustment to:

- adopt the staff report into the record;
 - adopt the findings of fact;
 - accept the application, testimony, exhibits, and other evidence presented into the record; and
- APPROVE** the request for variance, submitted by DJ Buck (Applicant) on behalf of David Buck (Owner) to allow construction of a new dairy barn that is proposed to be 50 feet from the side yard property line. When animal barns are required to be 100 feet from property lines.

Motion carried 5:0

PUBLIC HEARING: Request for Variance to Confined Feedlot Regulations (Article 13, Section 7)

Request for Variance, submitted by Donna Lexvold (Applicant) on behalf of the Bombay Dairy Company (Owner) to allow construction of a manure storage pit that will be 685 feet from a neighboring dwelling when 1000 feet is required. The property is zoned A-1. Parcel 44.028.1301. 5492 County 30 Blvd, Kenyon MN, 55946. W1/2 of SW1/4 of Section 28, Twp 110, Range 17 in Wanamingo Township.

Lenzen presented the staff report and attachments.

Wayne Lexvold stated that the heifer and dry cow manure is stiffer than dairy cow manure and that's why they went with a pit that was square and closer to the barn.

Smith presented emails that staff received.

Paulette Kylo Barnhart, trustee for the Mavis Kylo Trust, submitted an email opposing the project and citing environmental concerns that could if there were to be a leak in the new concrete manure lagoon.

Margie Kylo, trustee for the Mavis Kylo Trust, submitted an email opposing the project and citing environmental concerns to the impact on groundwater and surface water if the new manure storage lagoon were to malfunction.

Chair Knott opened the Public Hearing.

Chris Buck stated that they talked about the manure pit at the Planning Advisory Commission (PAC) meeting. This would help the environment because it's replacing a failing pit, and they won't have to haul daily.

Nesseth stated that Wayne and Donna run a clean operation and is not opposed to the construction of the pit.

DJ Buck stated that he owns and operates a manure applicator business. This pit would be much better than the old pit and better than daily hauling.

⁷After Chair Knott asked three times for comments, it was moved by Commissioner Huneke and seconded by Commissioner Rechtzigel to close the Public Hearing.

Motion carried 5:0

Commissioner Tebbe agrees that this would reduce road trips and would reduce the chances of spills.

Commissioner Rechtzigel agrees with those comments.

Commissioner Breuer stated that there are greater chances for runoff with surface applications in the winter when compared to injecting manure.

⁸Motion by Commissioner Rechtzigel, seconded by Commissioner Huneke, for the Board of Adjustment to:

- adopt the staff report into the record;
- adopt the findings of fact;

BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
April 28th, 2025, MEETING MINUTES
DRAFT

- accept the application, testimony, exhibits, and other evidence presented into the record; and **APPROVE** the request for variance, submitted by Donna Lexvold (Applicant) on behalf of the Bombay Dairy Company (Owner) to allow the construction of a manure storage pit that will be 685 feet from a neighboring dwelling when 1000 feet is required.

Motion carried 5:0

PUBLIC HEARING: Request for Variance to County Mineral Extraction Permit Requirements (Article 14, section 4)

Request for Variance, submitted by Ronald Fadness (Applicant) on behalf of Lesley Kylo Trust (Owner) to allow a quarry to operate 150 feet from the stream bank of the North Fork Zumbro River when a 1000-foot setback is required. The property is zoned A-1, and parts of the property are in the floodplain and subject to shoreland regulations. Parcel 47.034.1000. 21249 460th Street Zumbrota MN 55992. The SW1/4 & S1/2 of NW1/4 of Sec 34, Twp 110, Range 15 in Zumbrota Township.

Lenzen presented the staff report and attachments.

Commissioner Knott asked the staff what the contours were.

Applicant added to the staff report that this meets the DNR setbacks and adjoining neighbor.

Commissioner Tebbe stated that by meeting the 1,000-foot setback, the limestone quality would decrease the farther away they get from the river.

Applicant stated that it is good quality limestone.

Chair Knott opened the Public Hearing.

Flint Stehr (Zumbrota Township supervisor) doesn't have any issues with this project.

⁹After Chair Knott asked three times for comments, it was moved by Commissioner Tebbe and seconded by Commissioner Huneke to close the Public Hearing.

Motion carried 5:0

Commissioner Tebbe stated that this is reasonable and that they are meeting all environmental requirements.

¹⁰Motion by Commissioner Tebbe, seconded by Commissioner Rechtzigel, for the Board of Adjustment to:

- adopt the staff report into the record;
 - adopt the findings of fact;
 - accept the application, testimony, exhibits, and other evidence presented into the record; and **APPROVE** the request for variance, submitted by Ronald Fadness (Applicant) on behalf of Lesley Kylo Trust (Owner) to allow a quarry to operate 150 feet from the stream bank of the North Fork Zumbro River when a 1000-foot setback is required. Subject to the following conditions.
1. Mining operations as proposed are setback at least 150 feet from the ordinary high-water line of the North Fork of the Zumbro River and shall not move beyond that setback.
 2. The owner of the property is responsible for implementation of the reclamation plan if and when mining operations cease
 3. The property owner must ensure that the mining site is registered annually with the County as long as the site is in operation.
 4. The owner must grant the County permission to inspect the site as requested, including inspections to the North Fork of the Zumbro river after blasting, rainfall, or other events that may cause site disturbances and erosion.
 5. At all points in time for the duration of the use, the owner of the land must ensure that erosion and sediment control plans and best management practice are in place to protect the North Fork of the Zumbro River.

**BOARD OF ADJUSTMENT
GOODHUE COUNTY, MN
April 28th, 2025, MEETING MINUTES
DRAFT**

6. A conditional use permit (CUP) is required to operate a mining site in Goodhue County and if the CUP is revoked or expires, the variance becomes null and void.

Motion carried 5:0

5. Other-Discussion

6. Adjourn

¹¹**Motion by Commissioner Rechtzigel, seconded by Commissioner Huneke, to adjourn the BOA meeting at 6:15 PM.**

Motion carried 5:0

Respectfully submitted:

William Lenzen, Zoning Assistant

MOTIONS

¹ **Motion to approve Agenda**

Motion carried 5:0

² **Motion to approve Previous Meeting Minutes**

Motion carried 4:0

³ **Motion to close the Public Hearing**

Motion carried 5:0

⁴ **APPROVE the Variance to Solar Energy Systems Regulations**

Motion carried 5:0

⁵ **Motion to close the Public Hearing**

Motion carried 5:0

⁶ **APPROVE the Variance to Confined Feedlot Regulations**

Motion carried 5:0

⁷ **Motion to close the Public Hearing**

Motion carried 5:0

⁸ **APPROVE the Variance to Confined Feedlot Regulations**

Motion carried 5:0

⁹ **Motion to close the Public Hearing**

Motion carried 5:0

¹⁰ **APPROVE the Variance to Mineral Extraction Requirements**

Motion carried 5:0

¹¹ **Motion to adjourn**

Motion carried 5:0