

**BROOKINGS COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF FEBRUARY 2, 2021 REGULAR PLANNING & ZONING MEETING**

The Brookings County Planning & Zoning Commission met at their regular meeting on Tuesday, February 2, 2021. Modified meeting practices were used due to the global pandemic of COVID-19. Attendance for meetings to be via phone or for those in attendance the CDC recommended guidelines were followed in the Commission Chambers. The following members were present: Mike Bartley, Darrel Kleinjan, Kyle Vanderwal, Randy Jensen and alternate Roger Erickson. Members that phoned in were: Michael McHugh and Spencar Diedrich. Absent was: Chad Ford. Currently the board has 3 open seats – District 3, 4 and Alternate. Also present were: Deputy Director Richard Haugen and County Development Director/Emergency Manager Robert Hill. Also phoning in: Senior Planner from First District Association of Local Governments Luke Muller.

**CALL TO ORDER**

Acting Chair Kleinjan called the meeting to order at 7:07 PM.

**APPROVAL OF MINUTES**

(Bartley/Vanderwal) Motion to approve the January 5, 2021 Meeting Minutes and correction to Approved November 2, 2020 Meeting Minutes. Roll call vote: Bartley-aye, McHugh-aye, Diedrich-aye, Vanderwal-aye, Jensen-aye, Erickson-aye and Kleinjan-aye. 7-aye, 0-nay. **MOTION CARRIED.**

**ITEMS TO BE ADDED TO AGENDA BY COMMISSION MEMBERS OR STAFF.**

None added.

**INVITATION FOR CITIZENS TO SCHEDULE TIME ON AGENDA FOR ITEM NOT LISTED. Time limited to 5 minutes per person to address the board.**

No one scheduled time to address the board.

**DISCLOSURE OF CONFLICTS OF INTEREST**

None.

**APPROVAL OF AGENDA**

(Vanderwal/Bartley) Motion to approve the agenda for the February 2, 2021 Meeting. Roll call vote: Diedrich-aye, Vanderwal-aye, Jensen-aye, Erickson-aye, Bartley-aye, McHugh-aye, Kleinjan-aye. 7-aye, 0-nay. **MOTION CARRIED.**

**CONVENE AS BROOKINGS COUNTY PLANNING & ZONING COMMISSION**

**CONSIDERATION OF PLATS**

**2021PLAT001**

For property described as “Plat of Block 1 of S & J Farms Addition located in the S1/2 of the NW1/4 and N ½ of the SW1/4 and the W 2 acres of the NW1/4, all in Section 10, T112N, R50W of the 5<sup>th</sup> P.M., Brookings County, South Dakota.” Submitted by S & J

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Farms, Inc. to plat off 40.0 acres of pasture and crop land from the 160 acres they own. The plat contains a 33 foot access easement for Lot 1 Tekrony Addition, which is located west of Block 1. Meets platting requirements of 2016 Comprehensive Plan-Unincorporated Area Land Use.

(Jensen/Bartley) Motion to approve the plat. Roll call vote: Erickson-aye, Vanderwal-aye, Jensen-aye, Bartley-aye, Diedrich-aye, McHugh-aye, Kleinjan-aye. 7-aye, 0-nay.

**MOTION CARRIED.**

## **CONVENE AS BROOKINGS COUNTY BOARD OF ADJUSTMENT**

**2020CU022** – Postponed at Dec. 1, 2020 Meeting - WITHDRAWN BY APPLICANT 1-5-2021.

### **2021CU001**

Application by Bowes Construction, Inc by Jason Bowes for a conditional use. “Asphalt Mixing Plant”. Brookings Joint Jurisdiction Area: Article IV: Agricultural, Residential and Floodplain and Aquifer Districts. Section 405. Agricultural District “A”. Section 408: Special Exception # .5: “Rock crushers, concrete and asphalt mixing plants” and Brookings County Zoning Ordinance: Article 11: Section 11.01: “A” Agricultural District: Conditional Use Permit # 5C: “Asphalt Mixing Plant”. The property is described as: “N1/2 SW1/4 of Section 5, T109N, R49W (Trenton Township)”.

(Vanderwal/Erickson) Motion to approve the Conditional Use.

STAFF REPORT: The applicant is requesting a conditional use for an “Asphalt Plant”. Originally the applicant applied for the proposed asphalt plant to be located at a different legal description. A public hearing was held on December 1, 2020 and item was postponed until February 2, 2021 for applicant to bring back more information. The applicant revised the site plan thus changing the legal description on the original application (2020cu022). That application was withdrawn and this new application (2021cu001) was filed. The proposed plant will be located on a 15 acre site with access off 34<sup>th</sup> Ave (Brooking Co Hwy #21). Plan notes: 1) the west berm will be 920 feet from the 34<sup>th</sup> Ave right-of-way and the north berm will be 50 feet from the property line. Berms will be 6 feet tall, seeded down and trees planted on top. 2) One driveway for entrance and exit with security gates. 3) On site: Asphalt mixing plant, fuel storage, oil storage tanks, control building and aggregate storage. 4) The site will have 1 foot of Engineered Fill and 6 inches of a base course hauled in, to provide protection/barrier of the aquifer. Site is over the Zone “B” of the First Occurrence of Aquifer Materials Map for Brookings County and Zone “A” of the floodplain. Any structures built will need a “Floodplain Development Permit” and meet the building requirements in the floodplain ordinance. The applicant will need to secure any required permits from: South Dakota Department of Environment and Natural Resources for the operation of the asphalt mixing plant; US Fish and Wildlife for any wetlands and Environmental Protection Agency. Haugen went over the submitted drainage map. Public notices were published in the Brookings Register on January 19 and 26, 2021.

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PUBLIC HEARING: Erick Schulte Grading Manager represented Bowes Construction and informed those present Drainage map presented was to address concerns related to drainage at the site.

Proponents: Ron Golden representing Golden Family noted they owned property directly to the west and liked and appreciated that the plant would be further to the east and would include increased height and visual barrier. He asked that a visual berm on the South of 6 feet in height be added and asked that the number of trees to be planted onto of the berm be identified. He also asked that an amendment be made to the motion to note his requests.

Opponents: None.

DISCUSSION: Bartley asked Golden the distance the current house would be from a berm he had proposed on the south side of the proposed site. Golden noted it would be ½ mile from the house. Bartley stated, “At this time I would probably not entertain a motion to do that (amend motion), if they (Bowes) want to volunteer to do that, that is fine but that is a considerable distance.” Bartley asked Schulte for more information on type and size of trees. Schulte noted they would plant reasonably tall trees. Haugen noted stipulations regarding trees would be in the Findings of Facts and would require the applicant to work with the Brookings County Conservation District on spacing and types of trees. Findings of Facts were reviewed and completed by the board and placed on file.

VOTE: Diedrich-aye, Vanderwal-aye, Jensen-aye, Erickson-aye, Bartley-aye, McHugh-aye, Kleinjan-aye. 7-aye, 0-nay. **MOTION CARRIED.**

### **2021CU002**

Application by Bowes Construction, Inc by Jason Bowes for a conditional use, “Rock Crushers” to recycle used asphalt. Brookings Joint Jurisdiction Area: Article IV: Agricultural, Residential and Floodplain and Aquifer Districts. Section 405. Agricultural District “A”. Section 408: Special Exception # .5: “Rock crushers, concrete and asphalt mixing plants” and Brookings County Zoning Ordinance: Article 11: Section 11.01: “A” Agricultural District: Conditional Use Permit # 5A: “Rock Crushers”. The property is described as: “N1/2 SW1/4 of Section 5, T109N, R49W (Trenton Township)”.

(Vanderwal/Bartley) Motion to approve the Conditional Use.

STAFF REPORT: Applicant is requesting a conditional use for a “Rock Crushers” to recycle used asphalt. Proposed is to relocate the operation that is located at 3025 22<sup>nd</sup> Ave. and locate it on the same site as proposed “Asphalt Plant” application 2021cu001. Plan notes: 1) used asphalt rubble pile and a crushed/sized asphalt stock pile to be located on the east side of the property. 2) Crushing to take place once or twice a year in either early spring or late fall. Any structures built will need a “Floodplain Development Permit” and meet the building requirements in the floodplain ordinance. A drainage plan for collection of snow melt and rain water received on the site and direct the flow away from 34<sup>th</sup> Ave to southeast towards existing drainage ditch to be put on file.

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PUBLIC HEARING: Bowes representative Erick Schulte informed those present he had nothing to add.

Proponents: Adam Martin, Planning Intern with First District asked that in the Findings of Facts dates reflect the year being 2021. Ron Golden asked for clarification that all the improvements (berms, seeding and planting of trees) be done before the operation of the plant. Haugen noted that would be part of the requirements.

Opponents: None.

DISCUSSION: Board members had no questions or comments regarding the request. Findings of Facts were reviewed and completed by the board and placed on file.

VOTE: Jensen-aye, Erickson-aye, Bartley-aye, McHugh-aye, Diedrich-aye, Vanderwal-aye, Kleinjan-aye. 7-aye, 0-nay. **MOTION CARRIED.**

### **DEPARTMENT REPORTS**

Hill reported that the public should listen to the radio & social media to keep informed of the future plans regarding dispensing of Covid-19 shots in Brookings County. He noted that the Department of Health and 211 could be contacted with questions or updates regarding Covid-19.

Haugen noted the March meeting would be a busy one and work was continuing on the proposed Zoning Ordinance to be reviewed.

Luke Muller noted he would not be at the March meeting but someone would be in attendance.

### **ADJOURN**

Kleinjan adjourned the meeting at 8:00 PM

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Rae Lynn Maher  
Brookings County  
Development Department