

MINUTES

REGULAR SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY FEBRUARY 18, 2025 - 7:00 P.M.

BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT COMMUNITY ROOM

- I. **Call to Order:** *Brown County Planning/Zoning Commission* meeting was called to order by Stan Beckler Chairman.
- II. **Roll Call:** Members of the Brown County Planning/Zoning Commission present for roll call were Stan Beckler Chairman, David North Vice-Chairman, Dale Kurth, James Meyers, Carrie Weisenburger, County Commissioner Michael Gage (*who serves on this Board per SDCL 11-2-2*), Pat Keatts and Deputy State's Attorney Ross Aldentaler. Paul Johnson (*Alternate P&Z Commissioner*) was not in attendance.
- III. **Agenda:** After discussion, Keatts moved and Gage seconded to approve the February 18, 2025, Planning/Zoning Commission Agenda as presented. All members voted aye; motion carried.
- IV. **Minutes:** After discussion, Kurtz moved and Keatts seconded to approve the January 21, 2025, Planning/Zoning Commission Minutes, all members voted aye; motion carried.
- V. **Old Business:**
 - 1) **Sign-up Sheet:** at door entrance on the table for anyone to speak on an Agenda Item.
 - 2) **Permits:** Anyone present that has submitted Zoning Board of Adjustment (BOA) Agenda items such as a Variance Petition (VP) or Conditional Use Petition (CUP) that get approved, are still required to follow up with their PERMITS from the Zoning Office before starting their project.
- VI. **New Business:** *Planning/Zoning Commission as Zoning Board of Adjustment (BOA)*
 - 1) **Conditional Use Petition (CUP)** in a Heavy Industrial District (H-I) described as Outlot 1, "Aberdeen Twp 20W Outlots" in the E1/2 of Section 20-T123N-R64W of the 5th P.M., Brown County, South Dakota (38390 US Hwy 12; Aberdeen Twp.). Submitted by Matt Ochsner. Matt Ochsner, Dale Pahl & Kirk Schaanaman were in attendance for this item. Matt Ochsner spoke. Following discussion on Findings of Facts (FoF), Gage moved, and Weisenburger seconded to **approve the Finding of Facts (FoF)** as presented. Also following discussion, Gage moved, and Weisenburger seconded to **approve a Conditional Use Petition (CUP)** for a new free-standing digital sign along US Hwy 12 in a Heavy Industrial District (H-I), all members voting aye, motion carried.
 - 2) **Conditional Use Petition (CUP)** in a Mini-Agriculture District (M-AG) described as Lot 2, "Fulker's Homestead Subdivision" in the SE1/4 of Section 17-T123N-R64W of the 5th P.M., Brown County, South Dakota (38390 133rd Street; Aberdeen Twp.). Submitted by Keith Wipf-Ringneck LLC. Keith Wipf, Sandra Tople, Heather Bergstrom, Margo Price, Wade Pfaff, Sam Schaanaman & Dale Pahl were in attendance for this item. Keith Wipf, Sandra Tople, & Dale Pahl spoke. Heather Basham brought pictures. Following discussion on Findings of Facts (FoF), Gage moved, and Meyers seconded to **approve the Finding of Facts (FoF)** as presented. Also following discussion, Meyers

moved, and Kurth seconded to **postpone the Conditional Use Petition (CUP)** to the March 18, 2025, Planning & Zoning Commission meeting so Commissioners could do a site visit and gather more information. All members voting aye, motion carried.

- 3) **Conditional Use Petition (CUP)** in a Mini-Agriculture District (M-AG) described as Lot 1, “B.C.P.R.L. Addition” in the NW1/4 of Section 29-T123N-R64W of the 5th P.M., Brown County, South Dakota (38394 134th Street; Aberdeen Twp.). Submitted by Scott Jensen. No one was in attendance for this item. Scott Jensen withdrew this item prior to the meeting.
- 4) **Conditional Use Petition** in an Agriculture Preservation District (AG-P) described as The NW1/4 of Section 29-T121N-R61W of the 5th P.M., Brown County, South Dakota (14624 401st Avenue; Garden Prairie Twp.). Submitted by William Waldner for Hutterville South Dakota Inc. William Waldner & Todd Osterman were in attendance for this item. William Waldner spoke. Following discussion on Findings of Facts (FoF), Meyers moved, and Gage seconded to **approve the Finding of Facts (FoF)** as presented. Also following discussion, Meyers moved, and Gage seconded to **approve a Conditional Use Petition (CUP)** for an 11-unit animal mortality composting facility in an Agriculture Preservation District (AG-P) with the stipulation that three (3) rows of trees must be planted. All members voting aye, motion carried.
- 5) **Variance for Lot Size** in a proposed Agriculture Preservation District (AG-P) described as proposed Lot 2, “NWE Generation Addition” in Section 25-T123N-R64W of the 5th P.M., Brown County, South Dakota (270 135th Street SW; Aberdeen Twp.). Submitted by Robert Gehm for Northwestern Energy. Robert Gehm was in attendance for this item and spoke. Following discussion on Findings of Facts (FoF), Gage moved, and Keatts seconded to **approve the Finding of Facts (FoF)** as presented. Also following discussion Gage moved, and Keatts seconded to **approve a Variance for Lot Size** to allow proposed Lot 2 (10.21 acres) to be smaller than 40.0 acres and stay zoned as Agriculture Preservation District (AG-P) per Chapter 4.0605 of Brown County Zoning Ordinances, all members voting aye, motion carried.

Completed as Zoning Board of Adjustment (BOA) Agenda & going to Planning Commission Agenda

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TUESDAY, FEBRUARY 18, 2025 - 7:00 P.M.

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- I. **Old Business:** Discussion on Amendments to Brown County Ordinance Title 4 for Chapters 4.22 through Chapter 4.29 on Administrative Rules and Enforcement are still postponed until further notice, by Ross Aldentaler, Deputy States Attorney.
- II. **New Business:** *Brown County Planning/Zoning Commission as Planning Commission*

10) Rezoning Petition for properties described as Lot 1, “First Replat of Dahme Northview Addition” in the SE1/4 of Section 1-T123N-R64W and the SW1/4 of the SE1/4 of Section 1-T123N-R63W of the 5th P.M., Brown County, South Dakota (3015 N Dakota Street & 295 24th Avenue NE; Aberdeen Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Municipal District (M). Submitted by Brown County. No one was in attendance for this item. Following discussion, North moved, Weisenburger seconded to **recommend approval of the Rezoning Petition** to the Board of Brown County Commissioners. All members voting aye, motion carried.

11) Rezoning Petition for properties described as *proposed* Lots 1, 2 & 3, “NWE Generation Addition” in the S1/2 of Section 25-T123N-R64W of the 5th P.M., Brown County, South Dakota (90, 270 & 440 135th Street SW; Aberdeen Twp.). Lot 1 & 3 to be rezoned from Agriculture Preservation District (AG-P) to Heavy Industrial District (H-I). Lot 2 to be rezoned from Multizone District (MZ) to Agriculture Preservation District (AG-P). Submitted by Robert Gehm for Northwestern Energy. Robert Gehm, Blaine Snyder, Reed McKee, Mike Williams (NWE), Trent Arlint & Scott Stern (CoAxis Energy Co.), were in attendance and spoke. Don Young, Harlan Young, Jim Westby, Allison Snyder, Aaron Johnson, Joe & Monica Deer were in attendance for this item. Following discussion, North moved, Kurth seconded to **recommend approval of the Rezoning Petition** to the Board of Brown County Commissioners. All members voting aye, motion carried.

12) Preliminary & Final Plat for conveyance purposes on a property described as “NWE Generation Addition” in Section 25-T123N-R64W of the 5th P.M., Brown County, South Dakota (90, 270 & 440 135th Street SW, 505 135th Street SE and 2400 Bunker Drive; Aberdeen Twp.). Submitted by Robert Gehm for Northwestern Energy. Robert Gehm was in attendance for this item. Following discussion, North moved, Keatts seconded to **recommend approval of the Preliminary & Final Plat** to the Board of Brown County Commissioners. All members voting aye, motion carried.

13) Preliminary & Final Plat for conveyance purposes on a property described as “Leikvold-Rath Addition” in the SW1/4 of Section 26-T124N-R64W of the 5th P.M., Brown County, South Dakota (12896 Laura Lane; Lincoln Twp.). Submitted by Keith Rath and Brody Leikvold. No one was in attendance for this item. Following discussion, Meyers moved, Kurth seconded to **recommend approval of the Preliminary & Final Plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.

14) Other Business: A gentleman appreciated Edwards property kept clean.

15) Motion to Adjourn: There being no further business before the Planning/Zoning Commission, Keatts moved and Kurth seconded to adjourn the meeting, all members voting aye, motion carried.

Submitted by: Planning/Zoning Director Scott Bader.