

Owners/Applicants

Lance & Erika Goettl
48519 195th Street
Lake Crystal, MN 56055

Request and Location

Request for a conditional use permit to operate a fertilizer business that will utilize an existing quonset for storage of dry agricultural fertilizers. The proposed business will include the storage, sale, and application of dry agricultural fertilizers. The property is zoned agricultural and is located in part of the Northeast Quarter of the Northwest Quarter of Section 4, Lincoln Township.

Legal Description

That part of the Northeast Quarter of the Northwest Quarter of Section 4, Lincoln Township, Township 107 North, Range 29 West, Blue Earth County, Minnesota, as shown on Attachment A-1 – Location Map.

Zoning

The property is zoned Agricultural.

General Site Description and Project Proposal

The entire property consists of a 4.63 acre parcel and includes the applicant's residence and farm storage sheds. The applicants are proposing to operate a commercial fertilizer business out of an existing building on the property. The fertilizers that will be stored onsite are phosphorus, potassium, urea, and sulfur. To begin the applicants and a neighboring farm intend to use the fertilizer for their personal use. However, as the need arises, they intend to store enough product onsite to accommodate any clients that purchase fertilizer. The applicants will be utilizing an existing 40' x 70' quonset for the storage and sale of agricultural fertilizers.

The existing quonset is entirely enclosed with a concrete floor. The applicants will be drilling reinforcement steel rods into the cement along the inner walls of the quonset, then installing three-foot tall bulk heads so there will not be any pressure on the side walls of the building. The applicants are proposing to pour a cement slab at the load-in and load-out locations for easy clean up if a spill were to occur. Tenders will park on the cement slab on the north side of the building while they are being loaded. Incoming trucks that are unloading fertilizer back onto the cement slab on the east side of the building where a conveyor will move the product into the Quonset. The applicants are also proposing to use rubber drop spouts on all conveyors to ensure product is not susceptible to drifting from wind.

The applicant has also been working with the Minnesota Department of Agriculture to apply for a Bulk Fertilizer Storage Permit as well as receive a Fertilizer Storage License. See Attachment A-3

Number of Employees

While the number of employees varies seasonally, the business will typically have one licensed commercial applicator, and two part time employees to haul fertilizer to the spreader.

Hours of Operation

The hours of operation are typically 8:00 AM to 5:00 PM Monday through Friday. During the months of October, November, April, and May hours will be 6:00 AM to 10:00 PM seven days a week to accommodate the short timeframes to get the fertilizer spread.

Parking

Parking for employees and customers will be on the driveway and other parking areas of the farmstead.

Water Well

A water well is located approximately 85 feet Northwest of the proposed fertilizer storage building. State law requires bulk fertilizer storage to be 100 feet away from any water well. Therefore, storing fertilizer in the northwest 15 feet of the building is prohibited.

Floor Drains

There are no existing or proposed floor drains in the fertilizer storage building.

Chemical Storage

At this time the applicants are not proposing to store or sell any liquid fertilizers, herbicides, or pesticides. At some point, if there is a demand, the applicants may store and impregnate the dry fertilizer with some liquid chemicals such as herbicides or pesticides. If chemicals are stored or sold onsite, the concrete floor will need to be sealed and the product will need to have secondary containment.

Attachment A-4 contains the applicant's full business plan.

Project Outcome

If approved, the applicant will utilize an existing Quonset for the storage and sale of dry agricultural fertilizers to be sold to area farmers.

Land Use Plan

An objective in the agricultural district is to support the agricultural economy in Blue Earth County, which includes farming operations of all scales and those industries which directly support agriculture. Therefore, this proposal appears to align with Blue Earth County Land Use plan.

Existing Land Use within 1/4 Mile

North: County Road 122 and cropland.

South: Cropland.

East: Cropland and a feedlot owned by the applicants family.

West: Cropland and CSAH 30.

Access

There is no change in access proposed, the business will be accessed through an existing driveway from County Road 122.

NATURAL RESOURCES INFORMATION

Topography

The topography on and around the property is relatively flat with very little elevation change. See Attachment A-5

Soils

According to Blue Earth County's soil map, the proposed fertilizer business is located on Canisteo clay loam and Nicollet clay loam. Both of these soils are classified as somewhat poorly drained to poorly drained and have 0 to 3 percent slopes. According to Blue Earth County's pollutions sensitivity map, the location of the proposed fertilizer business is in an area where the estimated vertical travel time through near-surface materials is low – months to weeks.

Floodplain

There is no FEMA mapped floodplain within 1 mile of the proposal, therefore no attachment has been included.

Shoreland

There is no shoreland overlay districts within 1 mile of the proposal, therefore no attachment has been included.

AGENCY-STAFF REVIEW

Township Review

In an email dated July 17, 2020, Tammy Petterson, the Lincoln Township Clerk, indicated that the applicant attended their scheduled monthly meeting to present his request. The applicant presented his business plan for storing and selling dry fertilizer. After some discussion, Lincoln Township did not have any concerns with the request.

Hazardous Waste Review

Staff has consulted with Ken Frederick, County Senior Waste Management Specialist regarding storage of dry fertilizers in an existing Quonset. Alone, dry fertilizers do not require any floor sealant or secondary containment, however if chemicals are sold or stored onsite, for commercial sale purposes, floors will need to be sealed and secondary containment will be required. Spillage of chemicals and disposal of hazardous waste products need to be handled and disposed of properly.

Public Works Review

Staff consulted with Ryan Thilges, Public Works Director/County Engineer regarding the proposed business which will be accessed from a County Road. Mr. Thilges and his staff have some concern with the proposed use because County Road 122 is only a 5-ton spring load rated gravel road with no future plans for improvement. The increased truck traffic associated with this type of business will cause additional distress to the soft road during spring conditions that can greatly increase maintenance costs and potentially damage other vehicles.

Environmental Health Staff Comments The well review states that none of the proposed dry fertilizer storage can be located closer than 100 feet from the in-use well. There is a small portion

in the Northwest corner of the quonset that will not be able to be used for dry fertilizer or chemical storage.

There were no concerns with wetlands and the property has a code compliant septic system as well as a location for a secondary drainfield. See Attachment A-7.

Applicable Sections of the Zoning Ordinance

Sec. 24-112. - Uses.

(b) Conditional uses. The following uses may be allowed in the A district as a conditional use as regulated in Article II of this chapter:

(14) Grain elevators and feed mills.

(31) Other uses determined by the planning agency to be similar to the uses listed in this subsection.

Standards for Granting a Conditional Use Permit

Staff finds that the following standards required for the granting of a conditional use permit will be met:

a) That the proposed use conforms with the county land use plan.

The Land Use Plan states that the County should support the agricultural economy and those industries that directly support agriculture. Therefore, it appears the proposed dry fertilizer business conforms with the Blue Earth County Land Use Plan.

b) The demonstrated need for the proposed use.

With today's weather patterns, fertilizer application needs to be completed within a short period of time to make it as effective as possible. There may be times coops cannot get product to a farmer as quickly as they would like it. Therefore, it appears the applicant has demonstrated a need for the proposed use.

c) That the proposed use will not degrade the water quality of the county.

With proper use, storage and disposal of the dry fertilizers, the proposed use should not degrade the water quality of the county.

d) That the proposed use will not adversely increase the quantity of water runoff.

The business is proposed to be operated in an existing building. Two cement slabs will be poured to help clean up any spilt fertilizers, however those locations are currently considered impervious. Therefore, the use of the existing structure should not adversely increase the quantity of water runoff.

e) That soil conditions are adequate to accommodate the proposed use.

According to Blue Earth County Soils Map, the soil of the immediate area is classified as somewhat poorly drained. Nearby is a soil type classified as poorly drained. Considering the

building and shop area have already been constructed, the soil conditions appear adequate to accommodate the proposed use.

- f) That the proposed use does not create a potential pollution hazard.
The proposed building that will be used for fertilizer storage is entirely enclosed which will keep rain and wind from moving fertilizer off site. Cement slabs will be poured at the load-in and load-out areas to prevent fertilizers from coming in contact with the soil/driveway. Cement slabs will make for an easy clean up if a spill were to occur. Therefore, with proper storage and disposal of fertilizers and chemicals, the proposed use should not create a potential pollution hazard.
- g) That adequate utility, access roads, drainage and other necessary facilities have been or are being provided.
These items have already been provided.
- h) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
The driveway and parking area of the farmstead provide adequate area for off-street parking.
- i) That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.
Due to the limited traffic generated by the proposed use, there should be little impact on the traffic conditions of County Road 122.
- j) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
The predominant use of the area is agricultural. The nearest neighboring residence is just over ¼ mile away. Therefore, the proposed use is unlikely to be injurious to the use and enjoyment of the property in the immediate vicinity.
- k) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.
The proposed fertilizer business will not require any additional setback requirements for development of surrounding properties. Therefore, the use does not appear likely to negatively impact the undeveloped neighboring properties or neighboring agricultural activities.
- l) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
The fertilizers will be stored in a building so that only loading and unloading should occur outdoors and should not create any of the issues listed above. Therefore, the use is unlikely to create a nuisance for neighboring properties.

- m) That the density of proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable zoning district.

This standard does not apply to this proposal.

- n) That the intensity of proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district.

The approval of this conditional use permit meets the allowable density regulations in the Agricultural District.

- o) That site-specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals and general welfare.

The protection of the public's health, safety, morals and general welfare have been addressed through the required performance standards for this type of conditional use and in the condition included below.

Recommendations

Staff recommends **approval** of the request to operate a dry fertilizers supply business with conditions listed below:

1. That allowable signage shall be limited to a 32 square foot sign, non-illuminated, and located on the property.
2. That there shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line.
3. That the applicant shall obtain and maintain all permits as required by the state of Minnesota (or any federal agency) and shall maintain any and all records as required.
4. Prior to the storage and use of agricultural chemicals associated with the proposed business, the applicant shall consult with the County Planning Agency.
5. That the proposed use conforms to all requirements of the Minnesota State Fire Code including the state rules regarding fire suppression/sprinkler systems.
6. The applicant shall provide a copy of the proposed site plan, floor plan, and types of products stored to the area serving fire department
7. No fertilizer or chemical storage shall take place within 100 feet of the in-use well.
8. All trucks hauling fertilizer must abide by the spring road restrictions when in place.

Attachments

- A-1 General Location Map
- A-2 Current Site Map
- A-3 Proposed Site Map
- A-4 Applicant's Business Plan
- A-5 Topography Map
- A-6 Pollution Sensitivity Map
- A-7 Environmental Health Comments