

**MINUTES OF
GREEN COUNTY BOARD OF ADJUSTMENT**

1. CALL TO ORDER AND ROLL CALL

The Board of Adjustment met in the County Board Room of the Green County Courthouse in Monroe on Wednesday, September 15, 2021. At 7:00 p.m., the meeting was called to order by Chairman Fahey. Roll call was taken and present were Ted Fahey, Cal Wasserstrass, Larry Eakins, Wayne Dieckhoff, Ken Clark and Joni Waelchli-Buehl. Also present were Sara Patterson, Zoning Technician and Adam Wiegel, Zoning Administrator.

2. CONSIDER THE MINUTES OF THE PREVIOUS MEETING

Motion by Dieckhoff seconded by Eakins to approve the minutes of the August 18, 2021 meeting. The motion carried by unanimous voice vote.

3. Election of officers (1-year term)

Chairman (Ted Fahy, incumbent)

Motion by Clark, second by Dieckhoff to cast a unanimous ballot for Fahey as Chairman and close nominations. The motion carried by unanimous voice vote.

Vice-Chairman (Cal Wasserstrass, incumbent)

Motion by Clark, second by Dieckhoff to cast a unanimous ballot for Wasserstrass as Vice-Chairman and close nominations. The motion carried by unanimous voice vote.

Secretary (Larry Eakins, incumbent)

Motion by Clark, second by Dieckhoff to cast a unanimous ballot for Eakins as Secretary and close nominations. The motion carried by unanimous voice vote.

4. VIRTUAL SITE VISIT(S)

A. Northern Natural Gas Company, landowner; located at W4905 County C, section 13, Town of Washington.

Application for two variances for the construction of a shed on a lot under minimum lot width 75' vs. County Code minimum of 100' and for the construction of a shed on a lot under minimum lot size 7,405 square feet vs County Code minimum of 20,000 square feet.

B. Northern Natural Gas Company, landowner; located at N9565 County CC, section 3, Town of Exeter.

Application for two variances for the construction of a shed on a lot under minimum lot width 75' vs. County Code minimum of 100' and for the construction of a shed on a lot under minimum lot size 10,890 square feet vs County Code minimum of 20,000 square feet.

C. Wang-Bader Farm LLC, landowner; Rock Road Companies Inc, agent; located at W6512 County Y, section 20 and 21, Town of Monroe.

Application to amend an existing conditional use permit for the establishment of a premises for the mining, storage, processing or transportation of non-metallic materials, including the quarrying, blasting, crushing or extraction of limestone, gravel sand, fill or other similar materials or activities (amend current conditions and add approximately 10 acres). Application for a variance to allow quarry activities up to the lot line (0') vs the county code minimum of 50'.

5. SCHEDULE NEXT MONTH'S MEETING AND HEARING DATES

Virtual site visits/Public hearings – Wednesday, October 20, 2021 at 7:00 p.m. County Board Room

Motion by Dieckhoff, second by Wasserstrass to recess the meeting. The motion carried by unanimous voice vote.

6. CONDUCT HEARING(S)

- A. At 7:30 p.m. Fahey called the NORTHERN NATURAL GAS COMPANY public hearing to order stating that the purpose was to consider applications #2021-433 and 2021-434 to consider variances for the construction of a shed on a lot under minimum lot width 75' vs. County Code minimum of 100' and the construction of a shed on a lot under minimum lot size 7,405 square feet vs County Code minimum of 20,000 square feet. The land is zoned agricultural and is located at W4905 County C, section 13, Town of Washington. Roll call of the parties of interest was taken and present were Sergio Gonzalez; agent for the landowner and Dan Roe (Roe Family Land Holdings); adjoining landowner. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared Public Hearings APP 2021-433 and 2021-434. After hearing all testimony and evidence presented at the public hearing, Clark made a motion that was seconded by Wasserstrass to approve the variances as requested. Roll call on the motion was as follows Dieckhoff, aye, Eakins aye, Clark, aye and Wasserstrass, aye. The motion carried. Motion by Eakins, second by Dieckhoff to recess the public hearing. The motion carried.
- B. At 8:00 p.m. Fahey called the NORTHERN NATURAL GAS COMPANY public hearing to order stating that the purpose was to consider applications #2021-435 and 2021-436 to consider variances for the construction of a shed on a lot under minimum lot width 75' vs. County Code minimum of 100' and the construction of a shed on a lot under minimum lot size 10890 square feet vs County Code minimum of 20,000 square feet. The land is zoned agricultural and is located at N9565 County CC, section 3, Town of Exeter. Roll call of the parties of interest was taken and present was Sergio Gonzalez; agent for the landowner. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared Public Hearings APP 2021-435 and 2021-436. After hearing all testimony and evidence presented at the public hearing, Dieckhoff made a motion that was seconded by Clark to approve the variances as requested. Roll call on the motion was as follows Dieckhoff, aye, Eakins aye, Clark, aye and Wasserstrass, aye. The motion carried. Motion by Clark, second by Eakins to recess the public hearing. The motion carried.
- C. At 8:30 p.m. Fahey called the WANG-BADER public hearing to order stating that the purpose was to consider applications #2021-437 and 2021-438. Application 2021-437 to amend an existing conditional use permit for Wang-Bader, Landowner for the establishment of a premises for the mining, storage, processing or transportation of non-metallic materials, including the quarrying, blasting, crushing or extraction of limestone, gravel sand, fill or other similar materials or activities (amend current conditions and add approximately 10 acres). Application for a variance to landowner Wang-Bader to allow quarry activities up to the lot line (0') vs the county code minimum of 50'. The land is zoned agricultural and is located at W6512 County Y, section 20 and 21, Town of Monroe. Roll call of the parties of interest was taken and present were Wang-Bader Farm, LLC; landowner, Ryan Spies, agent for the landowner; Chris and Thelma Rose Gerrits, Cherrie Blaser and Denise and David Dye. All other parties of interest were absent. For testimony and evidence presented at the public hearing, refer to shared Public Hearings APP 2021-437 and 2021-438. After hearing all testimony and evidence presented at the public hearing, Clark made a motion that was seconded by Wasserstrass to approve the conditional use permit with the following conditions:
1. The quarry face will be bermed;
 2. Hours of operation 5 am-7pm M-Sat. this includes drilling and blasting operation;
 3. Owners within 1000' will be notified 1 week before blasting. Anyone else who requests to be notified will also be notified;

4. The entire property will be fenced with woven wire. Three-foot to five-foot pines will be planted along the outside border except the expansion;
5. The property owner will work with the Highway Department regarding visual and safety barriers along county Y;
6. Any approved reclamation plan will be in place before the permit is granted; and
7. State and Federal regulations regarding noise, vibration, dust, odors will be followed.

Any new local more stringent regulation will also be followed.

Roll call on the motion was as follows Clark, aye, Eakins aye, Dieckhoff, aye and Wasserstrass, aye. The motion carried. After hearing all testimony and evidence presented at the public hearing, Clark made a motion that was seconded by Dieckhoff to approve the variance with the following condition:

1. On approval of additional 12.65-acre quarry to the east owned by Wang-Bader, LLC and operator KIP, LLC.

Roll call on the motion was as follows Dieckhoff, aye, Eakins aye, Clark, aye and Wasserstrass, aye. The motion carried. Motion by Clark, second by Wasserstrass to recess the public hearing. The motion carried.

7. ADJOURNMENT

Motion by Dieckhoff, seconded by Eakins to adjourn. The motion carried by unanimous voice vote.

Larry Eakins
Secretary

Adam M. Wiegel
Acting Secretary