

CALL TO ORDER

The regular meeting of the Lincoln County Planning Commission was called to order by Chairman Jongeling on October 17, 2022 at 6:30 p.m. in the Commissioner's Meeting Room of the Lincoln County Courthouse.

ROLL CALL

Planning Commission members present were Wendi Hogan, Collin Enstad, Scott Green, Michael Poppens, and Jerry Jongeling. County staff present were Toby Brown and Noah Watson.

APPROVAL OF THE MEETING MINUTES

- 1) Chairman Jongeling asked if there were any changes to the meeting minutes from September 19, 2022. No one proposed any changes. A motion was made by Commissioner Green and seconded by Commissioner Hogan. A roll call vote was taken. Yeas: Hogan, Enstad, Green, Poppens, Jongeling. Nays: None. Motion carried.

APPROVAL OF THE MEETING AGENDA

Chairman Jongeling asked if there were any changes to the meeting agenda. No one proposed any changes. A motion was made by Commissioner Hogan and seconded by Commissioner Enstad to approve the meeting agenda. A roll call vote was taken. Yeas: Hogan, Enstad, Green, Poppens, Jongeling. Nays: None. Motion carried.

PUBLIC INPUT ON NON-AGENDA ITEMS

Chairman Jongeling opened the floor for public comment on non-agenda items. Hearing none, he closed the floor to public comment on non-agenda items.

OLD BUSINESS

No old business was discussed.

PUBLIC HEARINGS

- 1) Toby Brown introduced the application and presented a brief summary of the staff report. Jerae Wire and John Sydow were present to speak and answer questions. Chairman Jongeling opened the floor to public comment. Marilyn Reynback, owner of the adjacent parcel to the south, spoke in opposition to the application due to aesthetic and potential drainage issues. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Poppens and seconded by Commissioner Green to approve the application with the following conditions:
 1. The construction and operation shall be substantially in accordance with the Site Plan (dated September 19, 2022).
 2. Any expansion or intensification of the use, beyond that which has been proposed by the applicant, shall be treated in the same manner as a request for new conditional use permit, as per the Lincoln County Code of Ordinances.
 3. The permit holder shall comply with the road authority's (LaValley Township) access requirements, improvements and/or standards, if any.
 4. All materials and equipment shall be stored in an enclosed building or secured outdoor storage.
 5. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.

6. All solid waste materials generated by the operation shall be done by contract with a licensed company.
7. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
8. The permit holder is responsible for compliance with all Federal, State and Local rules, regulations, and permitting requirements.

A roll call vote was taken. Yeas: None. Nays: Hogan, Enstad, Green, Poppens. Abstain: Jongeling. Motion failed.

- 2) Toby Brown introduced the application and presented a brief summary of the staff report. Mathew Roach was present to speak and answer questions. Chairman Jongeling opened the floor to public comment. Ryon Smeenk, 27270 SD Highway 11, and June Shields, 27225 SD Hwy 11, spoke in opposition to the application due to concerns about drainage. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Poppens and seconded by Commissioner Green to approve the application with the following conditions:

1. The construction and operations shall be substantially in accordance with the operational plan "applicant narrative" (dated September 20, 2022) and the Site Plan (dated September 20, 2022). Warehousing shall not exceed 169,000 square feet.
2. Any expansion or intensification of the use, beyond that which has been proposed by the applicant, shall be treated in the same manner as a request for a new conditional use permit, as per the Lincoln County Code of Ordinances.
3. The permit holder shall comply with the road authority's (Springdale Township) access requirements, improvements and/or standards, if any.
4. All materials and equipment shall be stored in an enclosed building.
5. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
6. All solid waste materials generated by the operation shall be done by contract with a licensed company.
7. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
8. The permit holder is responsible for compliance with all Federal, State and Local rules, regulations, and permitting requirements.

During the discussion, emphasis was placed on the fact that Harrisburg has subdivision authority for this property. After deliberation, a roll call vote was taken. Yeas: Hogan, Enstad, Green, Poppens. Nays: Jongeling. Motion carried.

- 3) Toby Brown introduced the application and presented a brief summary of the staff report. Rhonda and Duane Niewenhuis were present to speak and answer questions. Chairman Jongeling opened the floor to public comment. Donald Graves, 27423 477th Avenue, spoke in opposition to the application due to concerns about drainage, traffic, and child safety. Hearing no additional comments, Chairman Jongeling closed the floor

to public comment. A motion was made by Commissioner Hogan and seconded by Commissioner Enstad to approve the application with the following conditions:

1. The construction shall be substantially in accordance with the Site Plan (dated September 29, 2022).
2. Any expansion or intensification of the use beyond that which has been proposed by the applicant shall be treated in the same manner as a request for a new Conditional Use Permit, as per the Lincoln County Code of Ordinances.
3. The permit holder shall comply with the road authority's (Dayton Township) access requirements, improvements and/or standards it has, if any.
4. The building shall only be used for the storage of personal property, and no commercial uses and commercial storage shall take place.
5. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
6. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
7. The permit holder is responsible for compliance with all Federal, State, and Local rules, regulations, and permitting requirements.

A roll call vote was taken. Yeas: Hogan, Enstad, Green, Poppens, Jongeling. Nays: None. Motion carried.

NEW BUSINESS

- 1) Toby Brown updated the Planning Commission that the Board of Commissioners concurred with the Planning Commission recommendation and approved RZNE-0055-2022 on September 27, 2022.

ADJOURNMENT

A motion was made by Commissioner Green and seconded by Commissioner Enstad to adjourn the meeting at 7:49 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion carried.