

2017cu004 – February 7th, 2017

Prepared by Richard Haugen

Applicant: Killeskillen LLC by Michael Crinion, 126 Pine Ridge Rd, Brookings, SD 57006

Land Owner: Verle G. Thompson, 1202 Copper Mountain Rd, Brookings, SD 57006

Legal Description: W1/2 SW1/4 of Section 28, T109N, R48W (Parnell Township).

2017cu004: Killeskillen LLC by Michael Crinion has applied for Brookings County Zoning Ordinance, Article 11.00 Agricultural Districts: Section 11.01 "A" Agricultural District: Conditional Use # 11: Class A, B, C, and D Concentrated Animal Feeding Operations. See Section 22.00: Concentrated Animal Feeding Operation: Section 22.01: Concentrated Animal Feeding Operation Regulations. (Brookings County Zoning Ordinance page 22.00-1) for 5,500 animal units of dairy cattle.

The applicant has a purchase agreement for the property with the current land owner. The site will border 480th Ave on the west and 219th St on the south, both are Parnell Township gravel roads. The main driveway access for the proposed facility will be located approximately three-quarters of a mile west South Dakota Highway 13 on 219th Street, with a secondary entrance off 480th Ave for farm machinery.

The proposed building site according to the site plan consists of a shop, milking parlor and free stall barn, commodity building, feed storage pad and three sediment basins with a secondary containment berm and trees planted on the west, south and east sides of the property, that will meet the setback requirements.

The location of the proposed building site and feed storage pad are not located in the Zone "A" (Wellhead Protection Areas) or Zone "B" (remainder of the mapped shallow/surficial aquifer not included in Zone "A"), according to the "First Occurrence of Aquifer Materials in Brookings County, South Dakota" map (Article 16.00 Aquifer Protection). The "Aquifer Materials Map" shows that the presence of sand and gravel to be generally greater than 100 feet below the land surface for the site. The soil boring data is located in Appendix VI of the engineers report. There is a 400 feet x 800 feet triangle shape portion of land located in the northeast corner of the parcel that is in the floodplain, as an unnamed tributary.

The engineer's report completed by Brian Friedrichsen with Dakota Environmental Inc. and the conditional use application are enclosed and contains the information required per "Article 22: Section: 22.01: Concentrated Animal Feeding Operation Control Requirements # 8. Information Required for Class A and B Concentrated Feeding Operation Permit,"

- A. Owner's name, address and telephone number.
- B. Legal descriptions of site and site plan.
- C. Number and type of animals.
- D. Nutrient management plan.
- E. Manure management and operation plan.

- F. Management Plan for Fly and Odor Control.
- G. Information on ability to meet designated setback requirements including site plan to scale.
- H. General permits from South Dakota Department of Environment & Natural Resources if available for animal species.
- I. Review of Plans and Specifications and Nutrient Management Plan by the South Dakota Department of Environment & Natural Resources.
- J. Information on soils, shallow aquifers, designated wellhead protection areas, and 100-year flood plain designation.
- K. Notification of whoever maintains the access road (township, county and state). Notification of public water supply officials
- L. Any other information as contained in the application and requested by the County Zoning Officer.

The Nutrient Management Plan located in Appendix II of the Engineer's Report contains a letter to Mr. Crinion from Dynamic Concepts about the possibility of an Organic Fertilizer Plant being located in Brookings County. No plans or applications have been submitted to the Brookings County Zoning Office in regards to this Organic Fertilizer Plant and it would also need approval from the South Dakota Department of Environment and Natural Resources (SD DENR). Mr. Crinion's nutrient management plan for this proposed facility is for the animal waste to be processed into organic fertilizer at a fertilizer plant. When Mr. Crinion applies for his state CAFO permit, he will need to submit a copy of his Nutrient Management Plan, land spreading agreements and or organic fertilizer plans to the Zoning Office. Mr. Crinion could amend his Nutrient Management Plan with approval of SD DENR, if an organic fertilizer plant is approved with the required state and local permits at that time.

The site is within the required setback distance of 2,640 feet, from a residence and a well. Both are located across the road to the south of the proposed site. The applicant has applied for a variance 2017var003 for the location of the residence and variance 2017var004 for the location of the well. We will be hearing the variance requests on the night of the meeting.

The applicant will need to apply for a state permit and meet all the requirements for a Concentrated Animal Feeding Operation from South Dakota Department of Environment and Natural Resources.

The Zoning Office has reviewed the above documents and made a site visit to the proposed location.

Letters were sent to the adjoining landowners, Parnell Township Chairman and Clerk, Brookings County Highway Department, Brookings-Deuel Rural Water and the current landowner.

The public notices were published in the Brookings Register on January 24th and 31st, 2017, Elkton Record on January 26th and February 2nd, 2017.

The Planning and Zoning Board has considered and incorporates in these findings: # 7: Standards for Conditional Uses, found on page 22.00-17 of the Brookings County Zoning Ordinance, for all permitted CAFO's in Brookings County.

Granting the conditional use would be an additional agricultural livestock use in rural Brookings County.

Denying the conditional use request allows the current use of the land to continue.

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: 1/10/17

Permit Number: 2017cu004

To: Brookings County Planning Commission
520 3rd St, Suite 200
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Brookings County Planning & Zoning Commission of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

A CLASS A DAIRY PERMIT 5,500 ANIMAL UNITS

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit #11: Class A, B, C and D Concentrated Animal Feeding Operation.

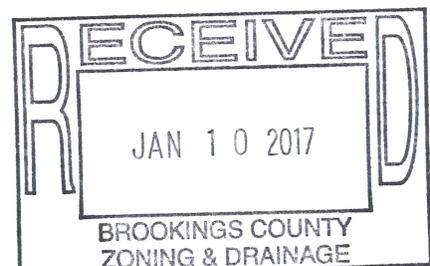
C.) Legal Description of Property:

W $\frac{1}{2}$ of the SW $\frac{1}{4}$ SECTION 28, T109 N, R48 W

(Parnell Turp)

Parcel # 160001094828300

Form continued on page 2



D.) Time and Date Set for
Hearing before Brookings
County Planning Commission.

Feb. 7 2017
Date

7:00 pm
Time

Approved

Rejected

Date

Chairman of Brookings County Planning
and Zoning Commission

KILLESKIUMEN LLC by

MICHAEL CRIVON
Person filing petition – print

Michael Crivon
Person filing petition – sign

126 PINE RIDGE Rd
Address

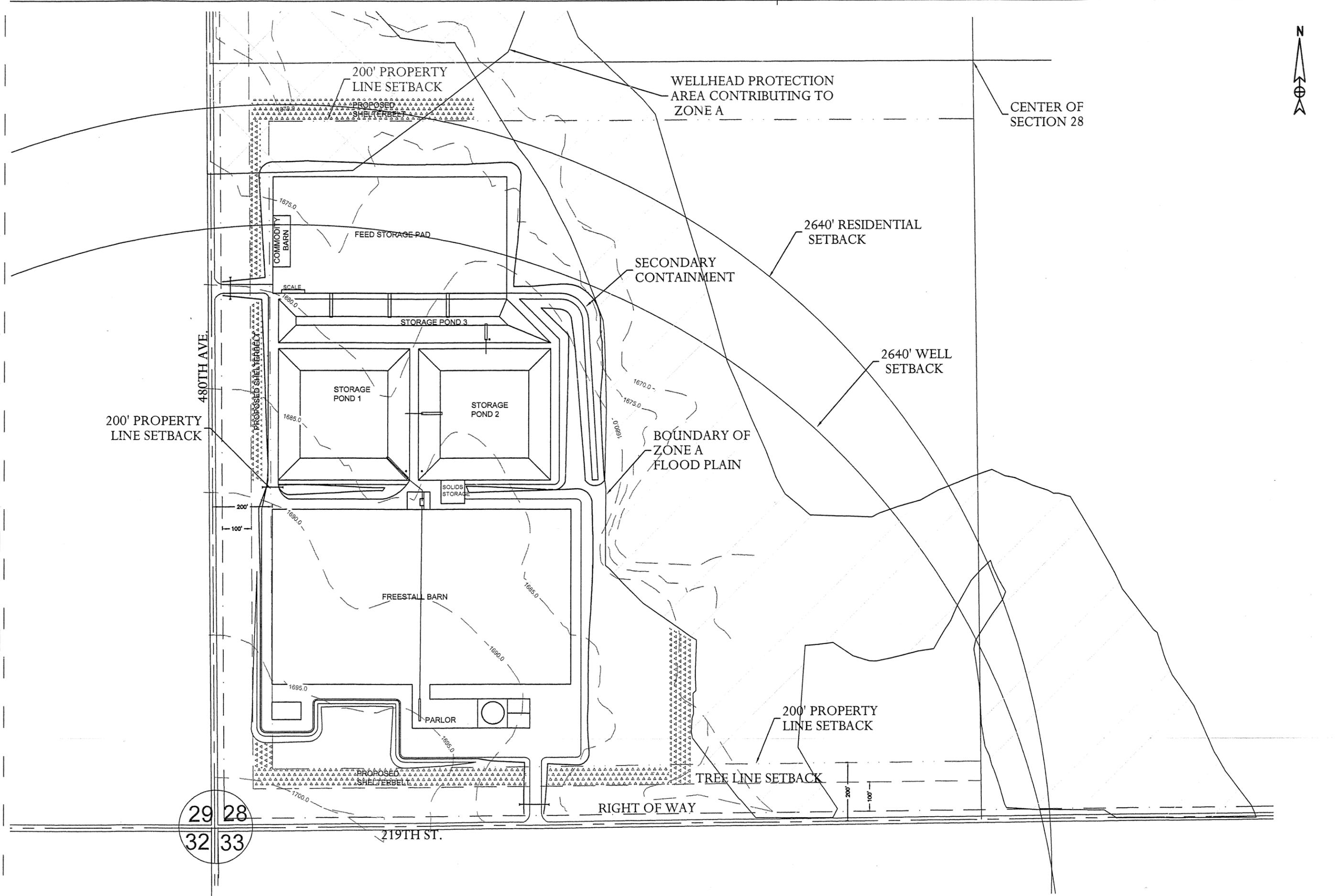
BROOKINGS
City

SD
State

57006
Zip Code

605-691-1045
Telephone

A conditional use that is granted and not used within three (3) years will be considered invalid.



SITE PLAN		REV. DATE	DESCRIPTION	BY	CHKD
PARNELL DAIRY AWMS		DATE	1/10/17	TB	BF
DAKOTA ENVIRONMENTAL CONSULTANTS INCORPORATED		REV. DATE	1/10/17	TB	BF
JOB NO:		1611			
SCALE:		1"=300'			
DWG:		2			
P.O. BOX 636 HURON, SD 57350 605-352-5610					

29 28
32 33

219TH ST.

RIGHT OF WAY

200' PROPERTY LINE SETBACK

TREE LINE SETBACK

BOUNDARY OF ZONE A FLOOD PLAIN

2640' WELL SETBACK

2640' RESIDENTIAL SETBACK

SECONDARY CONTAINMENT

WELLHEAD PROTECTION AREA CONTRIBUTING TO ZONE A

CENTER OF SECTION 28

200' PROPERTY LINE SETBACK

200' PROPERTY LINE SETBACK

480TH AVE.

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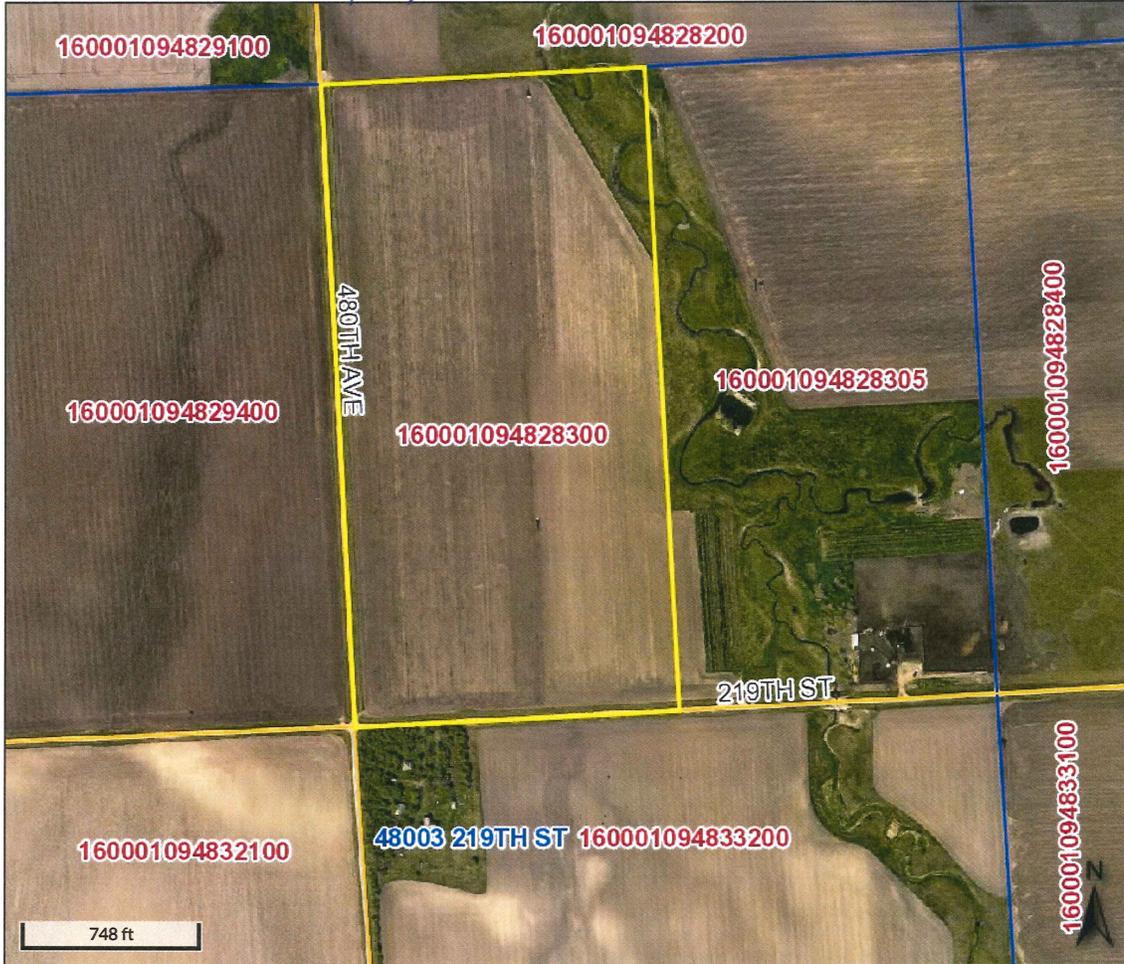
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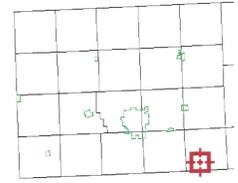


Beacon™ Brookings County, SD

2017 cu 004 / 2017 var 003 / 2017 var 004



Overview



Legend

- Brookings City Limits
- City Limits
- Township Boundar
- Sections
- Parcels
- Roads

Parcel ID	160001094828300	Alternate ID	n/a	Owner Address	THOMPSON, VERLE G ET UX
Sec/Twp/Rng	28-109-48	Class	AGA		1202 COPPER MOUNTAIN RD
Property Address		Acreage	80		BROOKINGS SD 57006
District	1603 - PARNELL TWP/ELKTON SCH				
Brief Tax Description	W 1/2 SW 1/4 SEC 28-109-48 80.0 AC				
	(Note: Not to be used on legal documents)				

Date created: 1/10/2017
 Last Data Uploaded: 2/18/2014 4:02:57 AM

Developed by
 The Schneider Corporation

Looking southeast from north property line.



Looking south from north property line.



2017cu004: Killeskillen LLC by Michael Crinion

Looking north from south property line.



Looking east from west property line.



Looking north at east property line.



Looking northeast from east property line.



Looking west from east property line.



Looking east from east property line.

