

Jones County Planning and Zoning Commission Meeting Minutes April 15, 2019 6:00 p.m.

Members present:

Tim Fay, Chairman
Jim McElheny
Keith Stamp
Lowell Tiedt

Members absent:

Kristina Doll

Staff present:

Michele Lubben, Jones County Land Use Administrator

Visitors present:

Aubrey Raymond-Schmitt, Center Junction
Jim Pinckney – Martelle, representing Bruce and Jani Telleen
Doug Herman – representative for the City of Monticello
Bill Daly – Monticello, representing HogSlat
Rob Gesie – Monticello, representing HogSlat
Chad Rubner – Anamosa, adjacent landowner in Center Junction
Kelly Day - Anamosa

Fay called the meeting to order 5:58 p.m.

Introductions of the Commission, staff, and visitors took place.

Motion made by Stamp seconded by Tiedt to approve the agenda to the meeting. All aye. Motion carried.

Motion by McElheny seconded by Stamp to approve the meeting minutes for the March 11, 2019 meeting. All aye. Motion carried.

Motion by Tiedt seconded by Stamp to open the public hearing at 6:01 p.m. for Brandon J. Schmitt who has made a request to rezone a parcel described as Parcel 2001-91 in the NE SW of Section 4 of Madison Township, containing 6.17 acres from the A-Agricultural District to the R-1 Residential District. More specifically, the proposal is to rezone to R-Residential to build a residential dwelling. This proposal would make a permanent change to the zoning classification of the property. All aye. Motion carried.

The Land Use Administrator explained that all adjacent landowner certified letters were received with the exception of Nathan Valentine's was refused and returned to the office due to lack of a signature. There were no written or verbal comments presented on the application. Aubrey Raymond-Schmitt was available to answer questions on the proposal. She described the request to build a residential dwelling on the parcel. The parcel currently has water available and can be hooked up to the EIRUSS wastewater system.

The Land Use Administrator pointed out the comment from the Jones County Engineer, Derek Snead regarding maintenance of the proposed driveway. According to the Engineer, 2nd Street east of St. Paul St. is more of a driveway to the old community building. It is much narrower (approximately 8 ft wide) and veers off to the center of the platted area to the north towards the community building. The access lane to the east of St. Paul St. would not require our maintenance. The adjacent landowner Chad Rubner discussed an issue with water backing up near the old community building, the culvert being plugged in that area and general maintenance of the driveway.

The Land Use Administrator will research with the real estate deputy and GIS Coordinator the possible platted roadway east of St. Paul St. and the condition on which the driveway/roadway could be improved.

Chairman Fay indicated he would rather see growth adjacent or within the existing villages of rural Jones County instead of using prime farmland.

Motion by Stamp seconded by Tiedt to close the public hearing at 6:15 p.m. for the rezoning request for Brandon Schmitt. All aye. Motion carried.

Moved by Stamp seconded by Tiedt to recommend approval to the Board of Supervisors for Brandon Schmitt to rezone Parcel 2001-91 in the NE SW of Section 4 of Madison Township containing 6.17 acres from the A-Agricultural District to the R-Residential District.

Roll call vote:

McElheny – Aye

Stamp – Aye

Tiedt – Aye

Fay – Aye

All aye. Motion carried.

The red zoning sign will need to be returned as soon as possible. The Land Use Administrator will request the Board of Supervisors to set a public hearing for May 7, 2019 at 9:15 a.m.

Motion by Stamp seconded by McElheny to open the public hearing at 6:17 p.m. for owner, Jason Rauen and the City of Monticello as the applicant, who have requested to rezone a parcel described as Parcel 2009-98 in the NW SE of Section 14 in Lovell Township containing 5.58 acres from the R-Residential District to the P-Public District for a future yard waste site for the City of Monticello. This proposal would make a permanent change to the zoning classification of the property. All aye. Motion carried.

The Land Use Administrator explained that all adjacent landowner certified letters were received with the exception of Challey's and Animal Welfare Friends was refused and returned to the office due to lack of a signature. There were no written or verbal comments presented on the application.

Doug Herman discussed the history and current situation with yard waste with the City of Monticello. The old site was near their sewer plant and burning would take place. The Iowa DNR stopped that practice of the yard waste/tree dump at that location. Subsequently, the yard waste was then delivered to a local farmer, Jeff Monck where he would spread it on his fields, however, he had concerns with

ornamental plants/trees being poisonous to his animals and that practice stopped. The current option has been to have another local farmer store the yard waste in a temporary location. Therefore, Doug as the city administrator and the City Council have researched a number of solutions within the city limits. Many of the locations have been near Residential areas and a number of owners have been against the use near Residential neighborhoods. Doug seemed to think this location was a “good fit” for the city. The location is close to the city, near other commercial/industrial areas. The contractor for the city indicated that the site should contain a minimum of 4 acres, this site has 5.58 acres, however, there is some area on the property in which is unusable for the site. It is served by a roadway with an easement drafted between the former owners of the property. Herman discussed drafting a new easement agreement where the City of Monticello would take over a majority of the maintenance from April – early November. The City of Monticello will own the property, a purchase agreement was included with the application. A third party contractor (T&W Grinding) will be used to grind and chip the yard waste and branches approximately five times a year. The waste will be stored in piles in cement bunkers. T&W Grinding provides services to many cities throughout northeast Iowa, Dyersville, Independence, Waukon, Bellevue, Manchester, Charles City, Edgewood, Cedar Falls, Dubuque and Oelwein. The Iowa DNR commented that T&W Grinding has a good reputation. They will chip/grind between the hours of 9 a.m. and 4 p.m. during the week. It may take 4-5 hours to grind all the material at the site. They will be on a service rotation, but can be called to have them come sooner if needed. The City of Monticello will have a city employee monitor the site daily and city police will lock the gates in the evening. The representative for Telleen’s expressed that the Telleen’s were against the rezoning request because that is a gateway to the City of Monticello and does not approve of a debris site at that location. The City is not opposed to adding more of a visual barrier from the highway such as a row of ornamental trees. Kelly Day expressed opposition due to the possibility of noise, rodents/animals, odor and health risks to both humans and dogs. Day presented documentation on Aspergillosis which is a fungal infection that can come from fungus that grows on dead leaves, compost piles or decaying vegetation. Pinckney was also concerned with water runoff. Gesie and Daly have leased property for 17 years at the Hogslat location. They are not concerned with the 5-6 days a year of grinding. They have concerns with possible animals/rodents since they maintain a retail business and the cosmetic look of the property. They were also concerned with runoff and groundwater.

Herman noted the city wanted to stay out of any flood plain areas and was not aware of the potential objections to this property and is willing to work with the neighbors to provide a pleasing aesthetic for the yard waste location. Herman can work with the city’s Tree Board to determine trees that are both attractive and can hide the property.

Herman explained other complaints that sometime arise with this type of use. When the compost is turned it can cause an “earthy” smell, chipping can cause noise, some sites are slow to accumulate which may cause vermin.

The site plan listed lights and cameras in certain areas to discourage illegal dumping. It will not be staffed, but a public works employee will check the site daily.

The Land Use Administrator asked if the city currently had an ordinance regarding yard waste. Herman stated they currently do not, but it may be something the city looks into.

Herman and others discussed the fencing and tree placement at the site. They discussed that the trees can be used as a visual barrier and to block wind and should be 8-12 feet tall.

Motion by Stamp seconded by Tiedt to close the public hearing at 7:06 p.m. All aye. Motion carried.

The Commission discussed the use and surrounding property. This is not near Residential properties. It has sufficient access and is not a high traffic generator. Generally, these types of uses are not such an eyesore and are more regulated than in the past with uncontrolled dumping.

The Land Use Administrator discussed the process of a conditional zoning agreement.

Moved by McElheny seconded by Stamp to recommend approval subject to a conditional zoning agreement for the request from the City of Monticello and owner Jason Rauhen, to rezone from the R-Residential District to the P-Public District with the following conditions:

1. All debris not considered yard waste will be removed by the City of Monticello on a weekly basis.
2. The City shall provide visual screening on the north, east and west property line in the area of the composting operation.
3. Compost piles are not to exceed a height of 12 feet.
4. City shall manage fugitive dust and odor control.
5. There shall be no sanitary or waste water mixed into the compost operation.
6. The City must adhere to Article XV. Lighting Requirements.

McElheny noted that the request conforms to the 2012 Comprehensive Plan as it relates to future commercial development should be along major transportation routes and near municipalities. The Land Use Administrator noted the uses and requirements for the P-Public District.

Roll call vote:

McElheny – Aye

Stamp – Aye

Tiedt – Nay

Fay – Aye

Motion carries with a 3-1 vote.

The red zoning sign was returned therefore, the Land Use Administrator will request the Board of Supervisors to set a public hearing for May 7, 2019 at 9:15 a.m.

The Land Use Administrator reviewed some recent land use requests. No action was taken.

The Commission did not have time to review text amendments for Wind Energy Conversion Systems, Planned Development District and Quarry and Extraction Uses. The Land Use Administrator discussed a recent webinar on wind ordinances.

The next meeting, if needed, is Tuesday, May 14, 2019 at 5:00 p.m. Deadline for applications will be April 17, 2019.

Moved by Tiedt seconded by Stamp to adjourn the meeting at 8:00 p.m. All aye. Motion carried.

