**Hamlin County Planning Commission**

Date: April 23, 2018

The Hamlin County Planning Commission met on April 23, 2018 at the Hamlin County 4-H Building at 310 Pheasant Ave. Hayti, SD. Board Members present were Larry Saathoff, Robbie Fedt, Scott Popham, John Pantzke, Richard Wiarda, Stuart Schubloom, and Leonard Kenmitz. Also present were Luke Muller and Thomas Nealon from First District in Watertown. A list of others attending the meeting is attached to the minutes and available in the Zoning Office.

Chairman Richard Wiarda called the Planning Commission meeting to order at 8:00 P.M.

Nealon sought to add a discussion on situation with John Hurley to the end of the meeting agenda. Motion by Fedt, Second by Schubloom to approve the agenda as amended. Motion passed unanimously.

Motion by Pantzke, Second by Saathoff to approve March 23rd Planning Commission meeting minutes. Motion approved unanimously.

1. **Plat:** Lot 7 Railroad Addition – Ottertail Power Company. Legal: Lot 7 of Railroad Addition A Part of Lot 5 of the Plat of Lots 5 and 6 of Railroad Addition, in the South Half of Section 33, Township 114N, Range 51W, of the 5th P.M., Dempster, Hamlin County, South Dakota. Nealon read the staff report. Nealon discussed multiple issues with the plat including lack of described ingress and egress for access on the property and the proposed use with which Ottertail plans to place (pole substation) on the property is not a listed use in the Town District section of the Ordinance. For these reasons, Nealon recommended denial and going forward he would speak with Ottertail to sort out issues with the plat and bring an Ordinance Amendment next month to address the proposed use. Wiarda called a roll call vote. The Board voted 0-7 to recommend denial to the County Commission.
2. **Plat:** Northbay 11th Addition – Todd Voss and Bob Winters. Legal: Lots 121-127, North Bay Eleventh Addition in the W ½ of Section 36, Township 113N, Range 53W of the 5th P.M., Hamlin County, South Dakota. Nealon read the staff report. In further research of North Bay Addition, no evidence was gathered that the North Bay residential area had been completely re-zoned to the intended Lake Park District. All homes within 1000 ft of Lake Albert are already in the Lake Park District, but multiple street which includes 50 or more lots are still zoned as the Agricultural District. This is the case with the Northbay 11th Addition in which land shown on the plat is not within the Lake Park District. As it stands, only 1 residential structure can be built on property there until a formal re-zoning process has been completed in which Lake Park zoning regulations will govern the land. No proponent or opponent testimony was heard in public testimony. Staff recommended beginning the process to formally rezone the North Bay residential area and allow the plat to be recommended with a deed restriction until the re-zoning process is complete. Wiarda called a roll call vote. The Board voted 7-0 to recommend approval to the County Commission.
3. **Board Discussion**: Accessory Agricultural Housing. This discussion is a continuation of last month’s discussion on the Accessory Agricultural Housing policy proposal which was formally introduced as an Ordinance Amendment in the March Planning Commission meeting. After two public hearings on the topic with Board input, as well as owners and operators affected by this policy, Staff introduced the latest update with information from those meeting to better suit the concerns from those who. Muller read the staff report, speaking on the new changes since the previous iteration. When asked to the Board, Pantzke and Wiarda felt the new proposal was closer to what they would like to see. Public testimony was heard from Ben Stout of Riverview LLC and Rodney Elliott of Drumgoon Dairy. They were mainly concerned with the table which lays out the size of the operation and the allowable size of the housing based upon size, number of dwellings, number of dwelling units, and individuals allowed in the housing. Members of the Board as well as operators wanted to see a simplified version of the table to allow the policy to work as intended. Pantzke stated he wanted to see limits placed on the size of the accessory housing, yet simplified and with broader categories with size of the CAFO and the number of allowed individuals living on-site. Kenmitz also voiced a similar view to Pantzke in the number of categories needs to be reduced.
4. **Board Discussion:** Hurley Campground. Staff updated the Board on the current situation concerning John Hurley’s campground on Block 2 of the Lake Park Estates Addition. Staff spoke on the letter concerning the campground and another matter (unrelated to the campground) and how to go forward if Mr. Hurley violates the conditions placed upon him with the variance he was granted in August 2013. The Board instructed Staff to enforce condition that no campers were to be placed on the campground after January 1, 2018 as the variance conditions stated in August 2013. The Board instructed Staff to reach out to Mr. Hurley and talk to him about the situation and options going forward. They stated they would like to get ahead of the situation before any legal proceedings might occur and to work with Mr. Hurley in getting the proper permitting for the campground.

Motion by Pantzke, Second by Fedt to adjourn the Planning Commission Meeting. Motion passed unanimously.

It is the policy of Hamlin County not to discriminate on the basis of color, national origin, sex, religion, age, or disability in employment or the provision of services.