

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENT MEETING

MONDAY, APRIL 14, 2014, 5:30 P.M., COMMISSIONER ROOMS, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MINNESOTA

MEMBERS PRESENT: Steen, Ludeman, Chalmers, Sturrock, DeCock

OTHERS PRESENT: Anderson, Goodenow, Biren, Zimmer, and Olson

Ludeman opened the meeting at 5:30pm

PLEDGE OF ALLEGIANCE TO THE FLAG

IDENTIFY ANY CONFLICT OF INTEREST. None.

AMEND/APPROVE AGENDA. Special meeting to meet the timeline of the County Board.

PLANNING COMMISSION:

CONDITIONAL USE PERMIT:

Public Hearing, Affordable Cremation of SW MN, %Quinn Horvath has applied for a conditional use permit to operate a crematory in the Southeast Quarter of the Northeast Quarter of Section Ten (10) of Fairview Township, all located in Lyon County, MN. The property is located on land zoned "Unincorporated Village District," commonly known as Green Valley, MN.

Biren explains that the Unincorporated Village District includes the use of cemeteries and memorial gardens, which the crematory would fit under. He received no comment from Fairview Township, but the Township is present to comment on the request. A letter was also received by mail that Biren would like to share.

Quinn Horvath is present and representing Affordable Cremations of SW MN. He explains that he is a licensed Funeral Director who is proposing the crematory in Green Valley. The crematory is a large, stainless steel structure which emits no noise or smoke. Horvath states that he has owned and operated a crematory in Marshall for over 15 years.

Crematories are licensed by the Department of Health and he researched that the Department of Health has not received a single complaint from over 20,000 crematories in recent years. No hearses will visit the site, just vans and/or Suburban type vehicles. The vehicles will drive completely into the facility, general public would not come to the on-site location. The unit has several chambers, which get extremely hot and what is

emitted from the process is heat. A lot of technology goes into these units to reduce emissions.

Ludeman asks the Board if they have questions. Sturrock asks the approximate temperature of the unit chambers. Horvath says that the 2nd and 3rd chambers exceed temperatures of 2000 degrees, where smoke from the cremation travels through, what emits is just heat. Sturrock asks if the area is already existing or is Horvath planning to build. Horvath states that the facility already exists with few changes besides installing the cremation unit. Ludeman asks what the processing time is. Horvath states the cremation process takes a couple of hours and no bodies would be left on site, it would be a start to finish process for all the cremations.

Steen asks on average how many cremations the facility will conduct a year. Horvath says he has no exact number but with 10 percent growth in cremations per year, he would estimate 60 to 70 per year. Ludeman asks if Affordable Cremations of SW MN is associated with Marshall Cremations. Horvath says both will continue but they are separate businesses. Horvath owns both but would like to provide multiple options for families in Southwest Minnesota. Chalmers asks if there is any chance for a fire from the cremations units that would need to be considered. Horvath assures Chalmers that the chambers are well sealed and have been tested extensively with little to no potential for a fire.

Chalmers asks Horvath if there is a reason for another cremation service. Horvath says that this facility/business would streamline the process for cremation. With the current situation, Horvath is providing the cremation as a separate business, where all the overhead of the existing business, including the funeral, travel, etc, is also added to the cost (\$3000 - \$5000). With Affordable Cremations of SW MN, Horvath is able to provide just cremations with no other business overhead (\$1500). Biren received and reads a letter from Dan Tanner which petitions against the crematory. The letter highlights the negative appeal and poorly sited location of crematory.

Ludeman opens the discussion up to public comment. Sherry Crogan, a resident of Green Valley, has another petition with 62 Green Valley Residents who oppose the crematory. The petition highlights that the facility will provide unfavorable smells, harmful chemicals in a residential area, and will decrease property values. Harold Dieken representing Fairview Township stated that the permit the township supported was for an off-sale liquor store. He stated that the Township is vigorously opposed to the idea of a crematory at the liquor store.

Terrance Cowens did some research himself, a simple web search for crematory complaints in Minnesota and many articles came up on the subject, highlighting toxic chemicals and odor from the cremation process. John Kronke felt that the proposed location attached to the liquor store is not ideal. Biren indicates that Valley Holdings LLC owns the building, a group of investors. Kronke points out that chemical emissions will blow right back into Green Valley with a northwest wind, which is predominant. Kronke also points out that mercury emitted from the cremation process is significantly high and harmful.

Pauline Serreyn of Green Valley says that the crematory in Marshall is in a proper place, which is not the case in Green Valley. She is highly opposed to the crematory. Dean Louwagie asks Horvath if most crematories are located in city limits. Horvath says it depends, but yes most are attached to funeral parlors. Beverly Louwagie asks why the crematory could not be located in the country, potentially in an abandoned grove with no nearby neighbors. Horvath says they identified locations and the Green Valley location was one of the top prospects. He says that crematories are in a variety of locations though.

Amy Waltz is a homeowner and mother of young children in Green Valley. They decided to reside here because it is a nice community. She is concerned about the health of her small children if a crematory facility is established so close to her home. She states that they would have not look for a house here if the crematory was in Green Valley prior.

Horvath thanks the public for their feedback on the proposed facility and decides to withdraw his application for the site based on the negative feedback received. Ludeman verifies that the application has been withdrawn. Several new homeowners were not notices in the process and there was a concern regarding noticing. Biren points out that the most recent tax package is used to determine ownership and landowners who have not yet been updated on the tax roll or are not within a quarter mile radius of the site were not noticed, but the newspaper publication was there to inform them of the meeting and proposed application.

No decision was made because the application was withdrawn.

Sturrock motioned, seconded by Chalmers to adjourn at 6:00 pm. All voted in favor, motion carried.

Respectfully submitted,

Planning and Zoning/Board of Adjustments

Luke Olson, Lyon County Planning & Zoning