

BOONE COUNTY ZONING COMMISSION MINUTES
MONDAY JANUARY 25, 2021
5:30 P.M. –VIA ELECTRONIC TELEPHONECONFERENCE

HTTPS://ZOOM.US/J/99097810220?PWD=DENXUEZXY0VUMJJMDGxoZZNIRW1KQT09

MEETING ID: 990 9781 0220

PASSWORD: 846921

ONE TAP MOBILE

+13126266799,,99097810220#,,#846921# US (CHICAGO)

+19292056099,,99097810220#,,#846921# US (NEW YORK)

DIAL BY YOUR LOCATION

+1 312 626 6799 US (CHICAGO)

+1 929 205 6099 US (NEW YORK)

I. OPEN MEETING AND ROLL CALL

Shawn Bryant

Wayde Burkhart

Eric Crosman

Kay Rice

Marilyn Jordan

Jan Danilson

Adam Ostert

Kim Houlding

Nathan Cottington

Present: Shawn Bryant, Kay Rice, Adam Ostert, Marilyn Jordan, Eric Crosman
Jan Danilson and Nathan Cottington

Absent: Wayde Burkhart and Kim Houlding

Also Present: Lucas Bielfelt, Zebedee Thatcher, and KWBG

II. APPROVAL OF MINUTES

A. No minutes to approve

III. APPROVAL OF AGENDA

Marilyn Jordan moved to approve the agenda

Seconded by Shawn Bryant

Nathan Cottington—yes

Jan Danilson—yes

Marilyn Jordan—yes

Shawn Bryant—yes

Adam Ostert—yes

Eric Crosman—yes

Motion Carried

IV. DISCLOSE CONFLICT OF INTEREST AND EX-PARTE COMMUNICATION

A. None

V. CITIZENS COMMENTS ON ITEMS NOT ON THE AGENDA (ADDITIONS TO AGENDA)

A. None

VI. OPEN PUBLIC HEARING(S) AND CONSIDERATION OF APPLICATION(S)

A. Lucas Bielfelt application for Conditional Use permit # 2021-001. Mr. Bielfelt has been running a small chain saw business from his home located at 1353 Morning Glory Rd, Boone Ia. This use in the A-1 (Agriculture Conservation) district is allowed but requires a conditional use permit for a home occupation.

Chairman Eric Crosman opened the public hearing at 5:35 p.m.

Crosman first asked for comments from the applicant Lucas Bielfelt.

Lucas stated they were running a small online chainsaw business. He stated they imported the chainsaws from China and as a part of the service they “break in” the chainsaw by running a tank to a tank and a half of gas through each chain saw to make sure they are in good operating condition. When done they re-package the chain saw and ship them out.

Bielfelt stated they did not have a store front nor planned to have people come to their home. He stated 95% of the sales were not in the state of Iowa.

Bielfelt noted they did not run chainsaws in the morning or late in the evening. He stated they were trying to use their barn as a buffer. He also noted they did not run the chainsaws every day.

Bielfelt asked if anyone had any questions for him.

Chairman Eric Crosman next asked for comments from the Zoning Commission members.

Marilyn Jordan questioned inventory.

Bielfelt stated they were stored in his garage and that he also had a storage unit in Ogden.

Bielfelt noted in the future he may wish to build an assessor structure in which they could house all of their products and have an indoor facility where they could run the chainsaws.

Jordan questioned if there was signage.

Bielfelt stated there was not.

Bielfelt also noted he and his father cut firewood for their own personal use.

Marilyn Jordan questioned the proximity of neighbors.

Lucas Bielfelt stated the nearest neighbor was over 150 yards and possibly 300 yards.

Marilyn Jordan questioned whether there had been concerns from the surrounding property owners.

Bielfelt stated no one had come to him directly. He did not someone questioned why they were running the chainsaws so late in the evening. He stated that happened at 6:00 p.m.

Bielfelt stated in the summer they tried to work in the early evenings when it was not so hot out.

Eric Crosman questioned how long Bielfelt had been running the business.

Bielfelt stated they started the business in October of 2019.

Crosman questioned how many chainsaws they were selling a month.

Bielfelt stated around 50 to sixty per month.

Bielfelt noted they were the largest deal of this particular chainsaw in the United States.

Crosman asked for any other comments from the Zoning Commission members.

Mike Salati noted a couple of members were online and possibly had comments.

Crosman next asked for public comments.

Zeb Thatcher stated he was not objecting to the business but had a concern with the sound from the property noting the chainsaw activity was approximately 100 ft from Thatcher's camp ground. He questioned whether sound wall could be erected reducing the noise from the chainsaws.

Thatcher noted the decibel level produced by the chainsaw was approximately 110 decibels noting exposure to this level of sound would produce hearing loss within a 30-minute period.

Thatcher also suggested hours be limited from 10:30 a.m. to 4:30 p.m. Monday through Fridays during the camping season. (April through October generally)

Jordan Fisher was next to speak, he stated he had no issues with the business but again discussed the decibel levels. He noted his wife was doing online teaching and was concerned with the noise from the saws which made it difficult to do the studies or record the lessons.

Lucas Bielfelt wanted to respond. Bielfelt noted they were trying to limit the noise to the afternoon and early evenings noting people had expressed concerns with those hours. Bielfelt stated he was trying to figure out a time which worked for everyone. Noting they wanted to be the best neighbors possible. Again, stating they didn't want to run the saws during the heat of the day.

Bielfelt's father noted they first started cutting out in the barn yard but had since moved to behind the barn to try to buffer the sound.

Shawn Bryant questioned how far Jordan Fisher's property was from Bielfelts work area.

Fisher noted he was across the street noting the saws were loud and that sometimes multiple chainsaws were run at a given time.

Shawn Bryant stated he understood sound concerns noting Bielfelt was trying to buffer the noise.

Kate Bielfelt noted she had been working from home and that her office was situated closest to where they were cutting. She stated that after the cutting was moved back behind the barn the reduction of the noise had helped. She noted the office was probably 100 yards or less from where they were cutting. She stated the movement had definitely reduced the sound.

Chairman Eric Crosman closed the public hearing at 6:12 p.m.

Director Mike Salati noted the Zoning Commission would be making a recommendation onto the Board of Adjustment.

Eric Crosman questioned whether our ordinance limited the number of decibels which could be produced.

Director, Mike Salati noted that one of the standards for a Conditional Use Permit was that

“offensive noise” was prohibited. Noting this standard applied to all properties in the area not just in a business use.

Further discussion was held on Conditional Use Permits and limitations which could possibly be set on them.

Shawn Bryant moved to recommend Board of Adjustment approval of the application for Conditional Use Permit 2021-001 submitted by Lucas Bielfelt with the condition of restricting the operating hours from 9:00 a.m. to 6:00 p.m.

Eric Crosman questioned whether they could make the hours of operation earlier such as 6 or 7 a.m.

Bryant suggested 8:00 a.m. be the earliest they start Monday through Thursday and ending by 7:00 p.m.

Marilyn Jordan suggested the permit possibly be issued for a one-year period with a review.

Shawn Bryant suggested they possibly plant some fast-growing willow trees.

Eric Crosman was concerned with limiting the time of operation noting his farming job was often times 24/7.

Further discussion was held on possible hours of operation.

Adam Ostert commented on the fact that it seemed like all neighbors were trying to work together.

Adam Ostert moved to recommend Board of Adjustment approval of the application submitted by Lucas Bielfelt with no conditions attached.

Seconded by Shawn Bryant

Nathan Cottington—yes
Jan Danilson—yes
Marilyn Jordan—yes
Adam Ostert—yes
Kay Rice—yes
Shawn Bryant—yes
Eric Crosman—yes

Motion Carried

VII. CONSIDERATION OF SUBDIVISION PLAT APPLICATION

A. None

VIII. UNFINISHED BUSINESS

A. None

IX. NEW BUSINESS

A. Elections of Officers

Marilyn Jordan moved to re-elect both Eric Crosman and Shawn Bryant

Seconded by Jan Danilson

Crosman stated he would be happy to continue

Nathan Cottington—yes
Jan Danilson—yes
Marilyn Jordan—yes
Adam Ostert—yes
Kay Rice—yes
Shawn Bryant—yes
Eric Crosman—yes

Motion Carried

X. REPORT OF ZONING ADMINISTRATOR AND DIRECTOR OF PLANNING

- A. Director's Report (Planning and Development Department)
None

IX. ADJOURNMENT

- A. Meeting Adjourned

Respectfully submitted,

Wanda Cox