

Board of Adjustment Meeting Minutes – June 5, 2026

The Muscatine County Board of Adjustment met in the Board of Supervisors Office on Friday, June 5, 2026, at 10:00 a.m.

Present: Tom Harper, Michael Smock, and Janelle Spies

Absent: Emily Geertz and Ashley Spitler

Staff Present: Eric Furnas and Morgan Robbins

Others present included: Brad Pevonka, Courtney Herrold, Rebekka Herrold, Phil Wiese, Brian Campbell, Kim Campbell

- **Approval of May 8 and May 20, 2026, meeting minutes.**

- A motion was made by Tom Harper to approve the May 8, 2026 and May 20, 2026 meeting minutes and was seconded by Michael Smock.
 - Ayes: Tom Harper, Michael Smock, and Janelle Spies
 - Opposed: None
 - Motion approved.

- **Case #26-06-01**

- Brad explained that TowerNorth is requesting approval to place a tower that would increase service in the proposed area. In the proposed location, the tower does not meet the required 1.1 times the tower height setback distance from the existing structures on the property, however the existing structures are all abandoned and no one currently lives on the property. Brad requested conditional approval with the existing structures to be removed. He explained that the proposed location was selected as it is the least intrusive location for the agricultural operations on the property.
- Eric provided the staff report. He explained that staff would agree with the conditional approval, requiring that the structures be removed prior to construction permitting.
- Tom asked what the footprint/dimensions are for the project. Brad answered that the total lease area is 100' x 100' and the fenced compound would be 65' x 65'.
- A motion was made by Michael Smock to approve the Special Use Permit subject to the surrounding structures (within the required 1.1 times the tower height separation distance) be demolished before construction begins. Second by Tom Harper.
 - Ayes: Tom Harper, Michael Smock, and Janelle Spies
 - Opposed: None
 - Motion approved.

- **Case #26-06-02**

- Rebekka explained that they are requesting an extension until December 31, 2026 for the enclosed building stipulation on the Special Use Permit that was granted on October 24, 2025. They would like enough time to complete the facility properly with correct engineering, stormwater control, foundation design, and air handling systems. Since the enclosed facility was stipulated, they have been actively working towards compliance. They had to change engineers as the project was outside of the scope of the initial engineer. The transition to a new engineer required coordination meetings and reestablishing the project's scope. The building placement could not be decided on without looking at the site conditions including grading, stormwater control, runoff management, water retention, spacing, and access. Rebekka explained that CedarView Farms has been working with a consultant to address the site conditions. The consultant completed a site visit, performed a topographical survey, tested soil, evaluated options, and worked on design plans. The consultant could not complete some of this work until the spring when the ground thawed. They are currently working on the foundation design.
- Eric provided staff comments and explained that staff believe approval of the extension should not be granted. The operation is an intensive land use that has affected neighbors in the past. The stipulation was strongly supported at the time it was approved.
- Tom asked what the deadline was for when the structure should be built. Eric answered that a typical Special Use Permit is valid for two years. However, since the Special Use Permit was for the compost operation and that is active, they are currently in violation of the Special Use Permit conditions. No enforcement measures were taken over winter since the foundation could not be installed.
- Courtney explained that they stopped taking in material from the hatchery and it is being diverted for the time being. The hill behind the location of the new construction has significant runoff and extensive work had to be completed to manage that. He explained that they have been working on the building but were not anticipating only having 5-6 months to complete the facility with the additional hurdle of winter weather. He presented a proposed timeline to the board members and asked that they be allowed to continue operations as they are currently until the new structure is built.
- Janelle asked what they would want to continue to compost. Courtney answered that they are currently composting cattle manure from their farm and would like to be able to receive material from the hatchery again as well. They are currently transporting that material to another compost site 5.5 hours away.
- Courtney explained that they have changed their composting techniques and are no longer spreading compost on farm fields which has reduced odors.

- Next, Phil asked where the new structure would be placed. Courtney explained that the building location has not been finalized yet. They are working with the consultants to select the ideal location and ensure it will meet required setbacks. Phil expressed concerns about the location of the structure as assurances were made to neighboring property owners that the conditions would improve and the composting activities would not move closer to their homes. Approving the extension would contradict the commitments that were made to neighbors during the initial approval.
- Michael asked if Cedar View Farms was still partnering with Liferaft. Courtney responded that they are no longer working with them. He explained that this has changed the plan for the building as they will not be processing as much compost as they had planned initially.
- Next, Courtney explained that they have also been working with the DNR on the design. They are hoping to use the new building as a model for future material handling.
- Eric explained that he had received a call from a neighbor who asked about the status of the stipulation. He didn't want to extend the stipulation without review from the Board of Adjustment.
- Janelle asked if the DNR has visited the site and if they had any issues. Courtney responded that they complete site visits 4-5 times per year and they have not had any problems with the operation.
- Courtney requested that they continue to be allowed to bring in one semi-truck load a day of material from the hatchery.
- Brian explained that the odor was very strong on the neighboring property and is opposed to allowing Cedar View Farms to receive hatchery material.
- Kim expressed concerns about the project's impact on surrounding property values now that Liferaft is no longer involved.

- A motion was made by Tom Harper to close the Public Hearing at 10:57 a.m. Second by Michael Smock.
 - Ayes: Tom Harper, Michael Smock, and Janelle Spies
 - Opposed: None
 - Motion approved.

- A motion was made by Tom Harper to grant an extension until December 31, 2026, during which outside material should not be brought onto the site. Second by Michael Smock.
 - Ayes: Tom Harper and Janelle Spies
 - Opposed: Michael Smock
 - Motion denied.

- The meeting was adjourned at 11:02 a.m.

MUSCATINE COUNTY BOARD OF ADJUSTMENT

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