

**CASCADE TOWNSHIP  
OLMSTED COUNTY – MINNESOTA  
PLANNING COMMISSION MEETING MINUTES**

**APRIL 15, 2014**

Planning Commission members present were: Chairman Dan Frissora, Commissioner Arlen Heathman, Commissioner Chuck Masog (acting scribe) and new Commission members Char Brown and Ron Schaap. The Cascade Township Treasurer/Clerk Mike Brown and Roger Ihrke from the county TCPA were also present.

**Call to order by Chairman Frissora at 7:00 p.m.**

Commissioner Schaap moved to approve the minutes from the previous meeting and seconded by Commissioner Heathman. Motion carried unanimously.

**The first item of business was the election of officers for the coming year.**

Commissioner Schaap nominated Commissioner Char Brown for Chairperson, seconded by Commissioner Masog. Motion carried unanimously. Commissioner Char Brown became the Chairperson at this point and chaired the remainder of the meeting.

Commissioner Heathman nominated Commissioner Masog for Vice-Chair, seconded by Commissioner Schaap. Motion carried unanimously.

Commissioner Frissora nominated Commissioner Schaap for Scribe, seconded by Commissioner Masog. Motion carried unanimously.

**The next business item was a presentation on the concept plot of the Haack property which is being purchased Terry and Craig Johnson.** The presentation was given by Mr. Bill Tointon on behalf of the Johnson's, requesting feedback from the Planning Commission and ultimately approval for their concept plot. The concept plot does not meet the open space requirement of the Cascade Zoning Ordinance. Mr. Johnson stated their timeline is to finalize the plot by this fall.

One of the options Mr. Tointon proposed was adding some buffer along Hwy 63 (75<sup>th</sup> Street) and including the Environmental Corridor along the Zumbro River.

Roger Ihrke noted that Cascade is the only Township that requires 10% of the plot for open space and questioned the wisdom of that requirement. He stated that common land is generally less desirable land, and occasionally homeowners associations become nonfunctional. In the past this has led to land being forfeited back to the county because of unpaid taxes

The discussion continued for 30 minutes until commissioner Heathman summarized the options as:

- a) comply with the Township ordinance,
- b) request a variance or
- c) change the Township ordinance.

**Action:** Chairperson Brown recommended the Planning Commission take the month to review the options and continue the discussion at the next Planning meeting.

**Discussion moved to the review of the Draft of the Cascade Township Illicit Discharge Ordinance (IDO).**

The draft which was put forth by the Planning Commission from the March Meeting was less restrictive than the Olmsted County IDO. Two concerns were expressed:

- 1) is it legal, and
- 2) it would be confusing for land owners having boundaries on both County and Cascade Township roads.

Chairperson Brown proposed a Cascade Township IDO that was the same as the county IDO.

Commissioner Schaap made a motion to table the discussion until the Planning Commission hears back from the attorney for clarification of whether the Township IDO can be less restrictive than the county IDO. It was seconded by Commissioner Masog. All approved.

**Action:** Township Treasurer/Clerk Mike Brown will address the issue with our attorney and obtain a legal opinion before our meeting.

**Clarify the Cascade Township Zoning Ordinance definitions:**

Chairperson Brown recommended using the Situation Background Analysis Recommendation (SBAR) approach for bringing items to the Planning Commission Meetings. The Cascade Township Zoning Ordinance does not presently include definitions for “community center” and “park”. The SBAR approach was used to discuss defining these terms for the Zoning Ordinance.

The proposed ‘community building’ definition included ‘not operated for profit’ which resulted in Roger Ihrke commenting that maybe a “for profit building’ definition would also be considered.

Commissioner Schaap expressed a concern the ‘park’ definition could preclude local festivals. He was given the action to modify the ‘park’ definition to eliminate this concern.

**Conditional Usage Permit (CUP) discussion:**

The Cascade Township Board has recommended the Planning Commission audit all CUP's every 2 years. Chairperson Brown has created a worksheet showing the ownership and status of all of the Cascade Township CUP's for the Planning Commission to review. Township Treasurer/Clerk Mike Brown will provide a link to the CPU's on the township website by April 16.

Several important statements concerning CUP's were:

- When property is annexed, it's no longer under the Township and hence the CUP's no longer have to be tracked by the township.
- The State of Minnesota states CUP's are transferable with the sale of a property as long as they are in compliance.
- Process for Terminating a CUP: The Planning Commission must hold a public hearing and pass a resolution to terminate a CUP. The recommendation to terminate is forwarded to the Township Board for action. The Township Board has the authority to terminate the CUP, not the Planning Commission.

The action item taken by Chairperson Brown and Commissioner Heathman is to review and update the status of the CUP's and forward to the Township Board.

Commissioner Heathman gave an update on the activities discussed at the Town Board April Meeting.

Commissioner Frissora moved to adjourn. Second by Commissioner Schaap. All approved.

**Meeting adjourned at 9:35 p.m.**

Submitted by Chuck Masog, Acting Planning Commission Scribe

A handwritten signature in dark ink, appearing to read "CMB Masog".

Michael Brown, Clerk/Treasurer

A handwritten signature in dark ink, appearing to read "Char L. Brown".

Char Brown, Planning Commission Chairperson