



**CASCADE**  
--- TOWNSHIP ---

2025 75<sup>TH</sup> ST. NE  
Rochester, MN 55906  
[www.cascadetownship.us](http://www.cascadetownship.us)

CASCADE TOWNSHIP, OLMSTED COUNTY  
PLANNING COMMISSION MEETING MINUTES  
April 18, 2017

**Call to Order:** 7:02 pm by Chairperson Dean Hegrenes

**Roll Call:** Commission Members Present: Dean Hegrenes, Cheryl Adolphson, John Friederichs, Supervisor Lenny Laures (excused David Derby)

**Pledge of Allegiance**

**Attendees:** Cascade Clerk Treasurer: Sara Rudquist, Gary Leitzen for CUP review 03-02 and Jerry Miller from Rochester Towing.

**Agenda Announcement and Review**

**Approval of Minutes:** The minutes from the March 21, 2017 meeting were briefly reviewed and discussed. A motion not to read the minutes aloud was made by Commissioner Adolphson and seconded by Commissioner Hegrenes. All voted in favor, and the motion passed. A motion to approve the minutes with revisions on page 2 (“restarted” to “started” and “?” after March 27 changed to “.”) was made by Commissioner Friederichs and seconded by Supervisor Laures. All voted in favor, and the motion passed.

**Call to Audience:** no response

**CUP Maintenance reviews:**

CUP 03-02 Conditional Use Permit be granted for Bernard and Gary Leitzen to continue use of an impound vehicle lot.

Mr. Leitzen and Mr. Miller answered questions from the board about the business and facility that pertained to the conditions in the CUP. The checklist for every condition was discussed and items were clarified especially after the new construction of North Broadway. Mr. Leitzen described his relationship to Rochester Towing as their landlord. He emphasized that, as tenant, Rochester Towing needed to comply with the conditions of the CUP and that the appearance of the area is much better now compared to a few months ago. April is a good month for their CUP review; the next review will be scheduled for April 2018. Overall, the review showed that the impound vehicle lot on the land owned by Mr. Leitzen and his brothers is in compliance with their CUP (see Review Checklist for CUP 03-02 April 2017 as filed with CUP Reviews and as an addendum to these minutes). A motion to this effect was made by Commissioner Friederichs and seconded by Commissioner Adolphson. Commissioners Friederichs, Adolphson and Hegrenes voted in favor, Supervisor Laures abstained, and the motion passed

The Cascade Town Board will be notified of this completed CUP review at their next regular meeting in May 2017.

## **Continuing Business**

Certified Mail / Return Receipt Letter on CUP 2006-01 Revocation Plan and Process. Because there was no response from the current owners of the property, who also do not reside on the property, they will be notified by certified mail of the intended revocation of the CUP 2006-01. The public hearing for this revocation will be scheduled with any other CUP revocations to minimize Cascade Township expense with the notification process in the Post-Bulletin. The timing for this is late 2017 or early 2018, as soon as the first cycle of CUP Maintenance Reviews is completed.

### Extension Request to TCPA for additional 180 days on Replat of Salley Hill Development.

The DeCook family does not have any updated paperwork currently filed with Roger Ihrke at the TCPA. Thus, they have filed an extension request with the TCPA for up to an additional 180 days. The Town Board was notified at their April meeting.

## **New Business**

Town Board updates: Supervisor Laures summarized a recent conference call with the attorneys and the Town Board members that discussed mediation changes. The overall goal is to address the question: “can our residents live with this plan?”

Clerk/Treasurer Rudquist described that the current website located at WordPress will be upgraded by the Revize Web Design Services company over the summer. The current website includes CUPs and the CUP review summaries. There was a recommendation that the Cascade Township web information be archived during the transition and afterwards to prevent loss of information.

### CUP Maintenance Reviews Scheduled for May 16 (letters sent)

CUP 07-01 Home Occupation in Accessory Structure – Lisa Van Getson (second letter sent Certified Mail/return receipt, no response to first letter sent in March and to phone calls)

CUP 07-02 Mobile Home-Second Dwelling – Anthony Knauer

### Possible Upcoming Usage Permit Review / Hearing -- Wilmar v. Cascade Township Proceedings

This topic was briefly discussed by Supervisor Laures.

### Discussion / Recommendations to Town Board Regarding:

#### Planning Commission Meeting Rate and Hourly Rate for Labor Claims:

After brief discussion, including rates for Township Board members, Commissioner Hegrenes moved and Commissioner Adolphson seconded the motion to keep the current meeting rate (\$40 for members, \$50 for Chairperson and Scribe) and for other Township Business Time and Expenses claims the standard township hourly rate as established by the Town Board. All voted in favor and the motion passed. These Township Business Time claims are encouraged, available and optional.

### Consideration of an Associate/Substitute Commissioner – Amendment to Planning Commission Policy:

Supervisor Laures noted that Supervisor Hoss is the alternate Board of Supervisors member of the Planning Commission. In addition, the Town Board should consider selecting a citizen to be an alternate member on the Planning Commission. Further discussion considered attendance/meeting time reimbursement for the Planning Commission alternate, required

attendance each year at some Planning Commission meetings, and how to interest citizens and recruitment resources. The Commission determined that this alternate member would be designated an “associate” Commissioner, who would be called upon to join the Commission as a substitute when a Commissioner was absent or recused themselves. Commissioner Hegrenes volunteered to draft a note to the Town Board for the May meeting.

April Reorganization – Commissioners

Town Board Representative on Planning Commission is Supervisor Laures. Commissioners Friederichs and Hegrenes are reappointed for additional three-year terms.

Reorganization of Commissioners: After a brief discussion concerning the usefulness of new insights and energy for the officers, Commissioner Hegrenes moved and Commissioner Friederichs seconded following our Planning Commission Policy defined sequence of moving the Vice Chair to the Chair and the Scribe to the Vice Chair from April 2017 to April 2018. The next Chairperson is Commissioner Friederichs; Vice Chairperson is Commissioner Adolphson; and Scribe is Commissioner Derby. All voted in favor and the motion passed.

**Round-the-Table:** Next meeting will be May 16.

**Second call to Audience:** Clerk/Treasurer Rudquist noted that she will not attend the May meeting.

**Adjournment:** Motion to adjourn made by Commissioner Adolphson, and seconded by Commissioner Friederichs. All voted in favor, the motion passed, and the meeting adjourned at 9:31 pm.

Submitted: Cheryl Adolphson, Scribe

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Cheryl Adolphson, Scribe

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Dean Hegrenes, Planning Commission  
Chairperson

Addendum: Cascade Planning Commission Review Conditional Use Permit (CUP) 03-02 granted to Bernard Leitzen and Gary Lietzen, PIN: 74.24.21.082477

**Cascade Planning Commission Review CUP 03-02 granted to Bernard Leitzen and Gary Lietzen, PIN: 74.24.21.082477**

APRIL 18, 2017

Review Summary: In Compliance to our knowledge

Action Items:

Follow up Items:

Date For Next Review: April 2018

| <b>CUP -03-02</b>   | <b>Comply</b> | <b>Not Comply</b> | <b>Comments</b>  |
|---|---------------|-------------------|--|
| All vehicles must be located within a locked fenced area. The fence shall surround the existing lot(s).   | Yes           |                   | Property owned by Leitzen brothers: Gary, Mark, and Dan. Steve Russell owns the Rochester Towing business and is responsible for maintaining compliance. |
| All vehicles, including junked and damaged vehicles, will be removed from the parcel within thirty (30) days after being released by the police or insurance companies.   | Yes           |                   | Complications with legal titles make the 30-day removal not always possible. All vehicles are inside the locked fenced area.                             |
| The existing buffer-tree line surrounding the property shall be maintained by the applicant and additional screening will be done along the east side (along Highway 63) next to the chain link fence.                              | Yes           |                   | Trees were removed with the rebuilding of North Broadway. Privacy fencing has been added as a visibility barrier to south, east and north side of area.  |
| No expansion of the existing impound lot(s), which is 63,825 square feet in size, shall be considered allowed without amending or applying for a new CUP. The impound lot is considered to be the area inside the chain link fence. | Yes           |                   | Mr. Leitzen stated that area inside fence is less than 63,000 square feet.   |
| Install and maintain a portable toilet for employees or a Septic system that meets current  | Yes           |                   | Portable toilet is inside the fenced area.   |

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| Cascade Township health standards.   |     |  |   |
| If any new lighting is added it shall be diffused or directed away from adjoining properties or public roads.  | Yes |  | Three downward directed lights on separate poles inside the fenced area are lit automatically when skies are dark.  |
| This CUP is not transferable; it is issued to Bernard and Gary Leitzen as the owners and Rochester Towing as the operator.   | Yes |  | Not applicable  |
| The township officers or its staff shall be allowed to inspect the property during regular business hours.   | Yes |  |   |
| Review of Conditional Use Permit. This Conditional Use includes, at the discretion of the Town Board, a periodic review to determine compliance with the conditions of the permit, and whether changed circumstances or conditions require changes to the permit. The Town Board may also elect, upon adoption of an appropriate resolution following verification of a complaint that a condition has been violated, to conduct a review of the permit. Said review shall only take place following written notice to the owner of the subject property and a duly noticed public hearing. Following such hearing, the permit may be amended based on changed conditions and experiences with the site. | Yes |  |   |
| A Storm Water permit (MS4) shall be completed if required by the MPCA.   | Yes |  | For leakage of toxic liquids such as motor oil, gasoline, etc, all employees are trained on necessity to use a clean up product like Floor Dry and to dispose of the product properly. Fire department typically removes toxic liquids at accident sites. If contaminated |

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|---|-----|--|--|
|   |     |  | liquids on tow truck bed under the towed vehicle, the bed is cleaned with Floor Dry.   |
| The driveway entrance must comply with the MDOT slope requirements and it is the applicants' responsibility to have the impound lot meet <b><u>all</u></b> applicable governmental agency codes and health requirements that may pertain to this application. | Yes |  | Typically have 3 full time employees, and all are trained in use of Floor Dry (see above). Driveway has been moved from old highway 63 to access from 41 <sup>st</sup> Street. |