



CASCADE
--- TOWNSHIP ---

2025 75TH ST. NE
Rochester, MN 55906
www.cascadetownship.us

CASCADE TOWNSHIP, OLMSTED COUNTY
PLANNING COMMISSION MEETING MINUTES
MARCH 21, 2017

Call to Order: 7:00 pm by Chairperson Dean Hegrenes

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

Pledge of Allegiance

Attendees: Cascade Town Board: Arlen Heathman, Jimmy Hoss, Cascade Clerk Treasurer: Sara Rudquist, TCPA: Roger Ihrke, Mark Hindermann, Brogan Heating and Air Conditioning: Roxanne Stewart, Jan Kittley

Agenda Announcement and Review

Approval of Minutes: The minutes from the February 21, 2016 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 the addition of two addenda pertaining to the CUP reviews from February 2017 was made by Commissioner Adolphson and seconded by Commissioner Hegrenes. All voted in favor, and the motion passed.

Call to Audience: no response

CUP Maintenance reviews:

CUP 04-01 Storage Building Addition – Thomas Brogan Heating and A/C (Roxanne Stewart acting as POA for Thomas Brogan)

Ms. Stewart answered questions from the board about the business and facility that pertained to the conditions in the CUP. Ms. Stewart agreed to have a well water test performed and to report the results to the Planning Commission. March is a good month for their CUP review; the next review will be scheduled for 2019. Overall, the review showed that Thomas Brogan Heating and A/C is in compliance with their CUP (see Review Checklist for CUP 04-01 March 2017 as filed with CUP Reviews). A motion to this effect was made by Commissioner Hegrenes and seconded by Commissioner Derby. All voted in favor and the motion passed

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

Public Hearing on Friederichs Forest Subdivision Final Plat

(Commissioner Derby recused to audience)

Mr. Ihrke from TCPA described the remaining issues that are needed and summarized in his letter of March 15 and noted the recent letter from Olmsted County GIS office regarding street names that need to be changed.

In favor of the Plat: Supervisor Laures recommended that utilities be located to one side of the easement trench. Mr. Hinderman supported the development of the subdivision, but questioned its timing because of the lawsuit.

Mr. Derby responded that potential customers were being informed about the possibility for a nearby quarry. Also, Supervisor Laures addressed this concern later in the meeting by noting there had been considerable public information regarding this matter over the past couple of years surrounding the quarry litigation. Thus, the risk of not knowing were minimized as such for potential new homeowners of this subdivision.

Against the Plat: Supervisor Heathman noted a conflict between Mr. Derby and Mr. Friederichs. What should be the forum? Also, potential customers and realtors are using a private driveway to view the proposed subdivision.

Mr. Derby responded that he would post a private driveway sign with permission of the owner.

Commissioner Study Session: Final Plat Recommendation to Township Board of Supervisors

(Commissioner Derby Recused)

The 60-day clock started for the final plat on March 2; therefore, action needs to be taken before May 2. Engineering issues regarding water drainage have some flexibility when excavation begins and the subsurface soils and rocks are exposed. There will be field adjustments. There are serious concerns about the many documents (street names, homeowners association, covenants, etc.) that need to be revised, reviewed and signed. Mr. Derby has known since March 15 about the TCPA's remaining conclusions and concerns before final approval.

The Planning Commission has several choices to consider:

- Table with contingencies that need to be fixed before next Planning Commission meeting in April
- Approve with contingencies and pass onto Township Board *
- Deny

Note *: Discussion ensued about the following question. Would the Planning Commission be avoiding some of its responsibilities by passing along to the Town Board the various contingencies for their special meeting on March 27. Typically, a limited number of only minor contingencies are forwarded to the Board for their review, if any at all.

Supervisor Laures moved that the Planning Commission approve the Friederichs Forest Subdivision with contingencies noted in the letter of March 15 from the TCPA (some have been addressed), and the email of March 21 from the Olmsted County GIS office. Commissioner Adolphson seconded the motion. Voting in favor of the motion were Supervisor Laures and Commissioner Adolphson. Voting against the motion was Commissioner Hegrenes. The motion passed.

Continuing Business

CUP 06-01 Revocation Recommendation to Board of Supervisors and Resolution

The revocation recommendations will require a public hearing and, as long as not a public safety issue, the Planning Commission will group the CUP revocations into a single hearing. Then recommend to Town Board for revocation of the entire group.

New Business

Town Board updates: Supervisor Laures did not have any Town Board updates.

April Reorganization Meeting was briefly discussed, including the need to decide on the rotation of officers for the Commission, and the April Town Board meeting will decide who will be part of the Planning Commission.

Proposed CUP Maintenance Reviews for April and May 2017

Letters sent and affirmative reply from Mr. Lietzen, no reply from Ms. Van Getson. Commissioner Hegrenes and Supervisor Heathman will follow up with Ms. Van Getson.

April: CUP 03-02 Impound Lot - Bernard and Gary Lietzen

CUP 07-01 Home Occupation in Accessory Structure – Lisa Van Getson

Invitation letters approved to be mailed to the following:

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

CUP 09-01 Home Occupation in Accessory Building – Rick and Anne Wing

Round the Table: Next meeting will be April 18, 2017.

Second Call to Audience: Mr. Ihrke from TCPA asked that a point be made in the Public Record that current discussions surrounding negotiations in case of the lawsuit (regarding sunset dates in a permitted usage) must be part of an Interim Usage and not part of a Conditional Usage. There may be some misinformation or miscommunication. It is recommended that Attorneys Baylis and the Township Attorney Teide be consulted by the Board to resolve this discrepancy. Supervisor Laures agreed to work with Mr. Ihrke to address this item.

Adjournment: Motion to adjourn made by Supervisor Laures, and seconded by Commissioner Adolphson. All voted in favor, the motion passed, and the meeting adjourned at 9:23 pm.

Submitted: Cheryl Adolphson, Scribe

Cheryl Adolphson, Scribe

Dean Hegrenes, Planning Commission
Chairperson

Addendum: Cascade Planning Commission Review CUP 04-01 granted to Brogan Heating and Air/Conditioning by Thomas Brogan, PIN: 74.31.43.031186

Cascade Planning Commission Review CUP 04-01 granted to Brogan Heating and Air/Conditioning by Thomas Brogan, PIN: 74.31.43.031186

MARCH 21, 2017

Review Summary: IN COMPLIANCE

Action Items: WELL WATER TEST

Follow up Items: SEND WATER TEST RESULTS TO PLANNING COMMISSION

Date For Next Review: MARCH 2019

CUP – 04-01	Comply	Not Comply	Comments
At least one parking space per employee.	Yes		(4 FTE on site, others out on jobs)
Any outside lighting must be defused and directed away from public roads and neighboring properties.	Yes		Neighbor complained years ago, light shifted downwards.
The Conditional Use Permit is approved subject to compliance with the applicable Government requirements, including, but not limited to the Minnesota and Olmsted County Health Departments and Minnesota Pollution Control Agency.	Yes		
Any hazardous wastes reclaimed or generated at the site shall be disposed of according to Minnesota Pollution Control Agency guidelines and/or requirements. All appropriate waste generation permits shall be applied for and received prior to completion of the addition. Copies of these permits shall be forwarded to the Township Planning Department.	Yes		Freon not stored on site long term, properly taken to a recycling site. Welding tanks secured to walls, no longterm storage of welding tanks. No permits needed.
A compliance check for the septic system shall be provided prior to issuing building permit. Should plumbing be added to	Yes		Septic tank pumped every three years.

any of the buildings a septic permit will be required.			
Results of a water test showing that the water supply meets current County standards shall be submitted to the Township Zoning Administrator.	Yes		Get an Olmsted County water test and send results to Planning Commission
The Conditional Use Permit is not transferable.			
No storage of materials or trucks within 25 feet of neighboring parcels.	Yes		
The applicant shall keep all gravel surfaces on the property in a dust-free condition.	Yes		Most of parking lot is asphalt surface.
The applicant must meet the applicable building code requirements prior to expanding the use upon the property.	Yes		
Review of Conditional Use Permit: The Conditional Use Permit includes, at the discretion of the Town Board, a periodic review to determine compliance with the conditions of 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		
The applicants' are allowed up to 13,560 square feet of total gross floor area, any proposal to exceed this amount would require a new or amended CUP to be approved by the Township prior to construction.	Yes		About 13,493 square feet