

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

July 16, 2013

Commission members present were: Chairman Dan Frissora, Commissioner Kevin Lenz, Commissioner Chuck Masog, Commissioner Michael Brown (scribe), and Commissioner Arlen Heathman.

Guests were Roger Ihrke (TCPA), Dave Meir (TCPA), Nels Pierson and Nicole Pierson (Applicants), Jeff Broberg of McGhie & Betts (consultant to the applicant) and 30 Township Residents as listed on the attached attendance log sheets dated July 16 2013.

Call to order by Chairman Frissora at 7:04 p.m.

Commissioner Masog moved to approve the minutes of the June 18, 2013 Planning Commission Meeting with the following amendments:

1. Strike the item referencing a July 7, 2013 letter from the list of included documents
2. Correct the septic capacity gallons to 640 per day
3. Include a holding tank and pump system as suggested by the septic inspector as an alternative installation.

Second by Commissioner Lenz.

AYE: Lenz, Masog, Heathman, Frissora

NAY: none

ABSTAIN: Brown

Motion carried

Chairman Frissora stated the purpose of the meeting was to take up the issue of the St. Mary's Barn CUP application that was tabled at the June 18, 2013 meeting. Chairman Frissora invited comment from TCPA and the applicant/applicant representative.

Jeff Broberg of McGhie & Betts, representing the applicant, stated that they have requested an extension until the August 20, 2013 meeting. Mr. Broberg and Mr. Pierson confirmed the applicant has provided a letter to TCPA waiving the 60 day rule and thus the Planning Commission is under no timeline for ruling on the application. Mr. Broberg stated that he had been retained by the applicant to assist in addressing the questions previously raised by the commission/TCPA. Mr. Broberg committed to providing TCPA an updated application with additional information two weeks prior to the August 20, 2013 meeting.

Commissioner Heathman inquired about the procedure for accepting new information from the applicant and the proper way to insure all parties are afforded an opportunity to comment. Commissioner Brown stated his opinion that if new information is received the public should be afforded an opportunity for review and comment via a public hearing.

The commissioners and TCPA discussed the concern with the incomplete information submitted as part of the application and potential process improvements for future applications. No specific actions were designated for implementation.

The commission members and TCPA discussed non-conforming use and non-conforming structures. TCPA Staff believes the applicant cannot overcome the need for a variance to overcome the increase in intensification of non-conforming use. While the current use (warehouse storage) is non-conforming, questions remain if it is grandfathered. The commission and TCPA also discussed statutory and ordinance restrictions on rebuilding or repairing a non-conforming structure and allowable limits of investment based upon assessed value. TCPA stated a practice of allowing investments of 50% per year. Commissioner Brown requested TCPA to provide the documentation supporting this interpretation.

The commission and TCPA discussed the definition of front yard and the need for a variance to allow parking in the front yard. The applicant would need a variance for the proposed parking.

After discussion of the options for the CUP, Commissioner Lenz moved to remove the CUP application from the table. Second by Commissioner Masog.

AYE: Lenz, Masog, Heathman, Brown
NAY: Frissora
ABSTAIN: none
Motion carried

Commissioner Masog moved to table the application until the August 20, 2013 meeting at which time the commission will receive new information from the applicant and conduct a public hearing. Second by Commissioner Lenz.

AYE: Lenz, Masog, Frissora
NAY: Brown, Heathman
ABSTAIN: none
Motion carried

Chairman Frissora requested the scribe to distribute to the commission members a copy of the Olmsted County Illicit Discharge Ordinance in order to start the discussions of adopting an appropriate Illicit Discharge ordinance for Cascade Township.

Commissioner Brown moved to adjourn. Second by Commissioner Masog.

AYE: Lenz, Masog, Frissora, Brown, Heathman
NAY: none
ABSTAIN: none

Meeting adjourned at 8:10 PM.