

**CASTLE ROCK TOWNSHIP
PLANNING COMMISSION SPECIAL HEARING
MAY 27, 2003
7:00 P.M.**

The Planning Commission of Castle Rock Township held a special hearing on May 27, 2003, at the Town Hall. Present were Jim Heiman Chair, Dave Nicolai Vice Chair, Dave Kammueler and Bob Dubbels Planning Commissioners, and Maralee Rother Secretary. Also present were Lorraine Widstrom, Betty Kokoschke, Michael Widstrom, Daniel M. Rogers Eureka Township Board Member, Mike Thomas, Phyllis Stuckmayer, Val Stachan, Bob Strachan, Tom Kosir, Reed Kosir, Katie Kohler, Sandy Strachan, Christopher and Mrs. Seitz, and Mark Henry.

Jim Heiman, Chair, called the meeting to order at 7:00 p.m.

The purpose of this meeting is to consider and review the application of Mike Thomas, 4889 Pilot Knob Road, Eagan 55122, for a conditional use permit to build a moto-cross practice track for public use at 26XXX Denmark Avenue, Farmington, on land owned by Carol Thomas.

One letter and one memo from Inspectron, Inc. were read. The memo was from Ron Wasmund, dated May 13, 2003, stating that Mr. Thomas has already done the grading without a permit. No address has been assigned to this parcel by Dakota County. Mr. Thomas' permit for the building must not be issued until the conditional use permit has been approved. The Board must decide what action they wish to pursue for the grading and land use violations that have taken place.

At the regular meeting of the Castle Rock Board of Supervisors on May 13, 2003, the Board advised the Clerk to send Inspectron Inc. the Boards intent to have the activities stopped at 26XXX Denmark until the special hearing with the Planning Commission and the proper permits are obtained.

The letter, dated May 20, 2003, was received from Jim Hall, Inspectron Inc., and it stated that this letter shall serve as official notice that all work must cease and desist until the proper permits are issued and inspections are performed. Copies of letter and memo are attached to the Planning Commission 7:00 p.m. May 27, 2003, special meeting minutes.

Castle Rock Ordinance 6.04 on pages 22 and 23 were discussed.

Questions were asked about the use of the moto-cross track. It was implied the goal of Mr. Thomas was to build a storage building for family use for storing grading machinery and hay, and to have a practice track for his family use.

Mr. Thomas was also asked what the 8' X 12' shed on the premises was being used for. It was first implied that it was a storage building for personal use, and it was asked again

if that is all it would be used for, the answer was that it would be also used for people to register as they arrive on the site.

The public would use the track and a fee would be charged to use it. It was stated that possibly it would be used on Friday, Saturday, and Sunday, at certain set times.

There is no road or driveway back to the proposed track and the question was asked if one would be built for emergency vehicles. It was asked as to who would take care of all the litter and trash that would come from this business. The response was that he couldn't control this problem.

A resident inquired if the property would be fenced to keep the vehicles from driving across the fields to the track. Mr. Thomas stated that he did plan to do so. Dan Rogers from Eureka Township stated that the Township will not pay to have extra maintenance for the added traffic that would occur on Denmark Avenue. Eureka Township maintains that portion of Denmark Avenue. Castle Rock Township would have extra maintenance on the north end of Denmark Avenue.

The question was asked how vehicles will be coming to the track – if they will be on trailers – and what about those that weren't – the response was that he could not control the issue.

It was stated that the operation could grow to be similar to a business such as Elko Speedway.

A Commissioner asked about the status of the ownership of said property and Mr. Thomas stated that he has a signed waiver from his mother, which was not presented to the Planning Commission.

The question was asked how long the operation would continue. The answer was that it could "fold" in a month – implying if it wasn't profitable or ran out of funds it would close.

The track is over a mile long and grading has been done for the track and the Township was not aware of this until April 28, 2003, at the Planning Commission's regular meeting, when a resident brought it to their attention. It is further noted that a NPDES Storm-water Permit for Construction Activity is required - that operators of construction activity disturbing one acre or more of land and smaller sites that are part of a larger development obtain permit coverage.

After further discussion, it was established that Mr. Thomas would be operating a business that is non-agricultural in an area that is zoned an agricultural district.

Dave Nicolai made a motion and Bob Dubbels seconded to recommend that the Township deny a conditional use permit for the moto-cross track because it is not a

permitted use in an agricultural district in accordance 6.04, 6.04 D, and 8.05 of the Castle Rock Township ordinances. Motion carried 5 ayes.

Mr. Thomas asked if this means that track can't be used at all and it was stated by a Commissioner that it could be used for personal use by family members only.

Residents inquired what would be done if the activities continue and they were advised to notify the Township, and if the activities are in violation of the Township's ordinance the proper authorities shall deal with it.

Dave Nicolai made a motion and Bob Dubbels seconded to adjourn. Motion carried 5 ayes.

Meeting adjourned at 7:25 p.m.

Respectfully submitted,
Maralee Rother
Planning Commission Secretary