

CASTLE ROCK TOWNSHIP
PLANNING COMMISSION REGULAR MEETING
JANUARY 26TH, 2009 7:30 P.M.

Approved

The regular monthly meeting of the Planning Commission of Castle Rock Township was convened at the Castle Rock Town Hall on Monday, January 26th, 2009 at 7:30 p.m. Present were Chair Norbert Kuhn, Paul Irrthum, Bob Dubbels. Sandy Weber and Todd Sjostrand both absent filling in Jane Bistodeau, Clerk. Others present were Dean Johnson, Pete Schaffer, Jose Veneyas, Reginaldo Haslett-Mauguiry, Greg and Helen Cook, Lee and Gary Pipho, Maria Sosa, Eric Ruud, Ron Wasmund, Mike Kiefer, Jon Juenke and Mark Henry.

Norbert Kuhn opened the meeting and the Pledge of Allegiance was recited.

Review and Approve:

Regular Meeting Minutes December 29th, 2008 spelling on pg 1 under old business change Kuehn to Kuhn. Pg 2 change motion made in "Paul makes a motion" add "*it is considered*" after changed and "*would be one flat fee*" after increased.

Bob Dubbels makes a motion and Paul Irrthum seconded changes made to December 29th, 2008 meeting minutes. Motion carried 3 ayes.

Special Meeting Minutes January 8th, 2009 on Pg 2 motion in word change naye to nay in last paragraph.
Bob Dubbels makes a motion and Paul Irrthum seconded changes made to January 8th, 2009 special meeting minutes. Motion carried 3 ayes.

DEAN JOHNSON- SECTION 7.20 ZONING ORDINANCE:

Township planner explained research being done on behalf of Township: Public Utility Ordinance, Dean Johnson stated Townships and state have little regulation over pipelines and overhead power lines. Could be set up as separate ordinance or added to existing.

Dean Johnson explained ordinance sections A, B, C. Dean Johnson recommends the Township attorney review and approve ordinance. Dean Johnson explained the ordinance and how it will help cover township expenses, public road and right of way management.

Norbert Kuhn asked whether the Board of Supervisors can make judgments about road conditions but Dean said that's a decision best made by township attorney.

Norbert Kuhn questioning Pg 2 #1 utilities within Township Right of Way if there's any work to be done on private property- Township has no jurisdiction other than applicable permits.

Norbert Kuhn asked can township request gravel reimbursement upfront during permit process?

Dean Johnson- The township engineer would have to make the judgment as part of the initial permit process.

Gary Pipho- thinks the ordinance misses out on the financial surety upfront vs ongoing

Dean Johnson- assured that the financial surety would cover damages

Gary Pipho- can we insist public utilities to improve bridge or roads prior to work being done?

Dean Johnson- ask township attorney. It would need to be tied to some kind of science so they don't think the Township is trying to upgrade roads and bridges at the expense of the utility company.

Mark Henry- concerned the public utility issue missed, as was intended in the original draft.

Dean Johnson said he is willing to discuss directly with attorney or we can forward on and discuss with attorney. Mike Kiefer thinks we should adopt as Dean Johnson wrote and possible write a stand alone to cover Public Utilities.

Pete Schaffer agrees with Mike Kiefer but thinks maybe there should be a number of trucks allowed for commercial. Dean Johnson said there is no black and white answer.

Norbert Kuhn made a motion and Bob Dubbels seconded to have Board of Supervisors check over revised ordinance and seek legal advice if a stand alone ordinance would be recommended.

Motion Carried 3 ayes.

Jose Venegas-

(Rinaldo- translator for Jose):

Property located in rural residential (Lee Dilley property) Denmark and 235th- 10 acres

1. Would like to move in trailer until house can be built- trailers are not allowed.
2. Can ad building be built prior to house? No, must have house first

Ron Wasmund-

Questioning whether the intent is to stop charging for maintenance items such as siding, windows, roofing. Norbert Kuhn explained the township is losing money on complaints because the only one being paid is Inspectron Inc. Ron Wasmund explained Chapter 13000120 building code, only certain itmes can be done without permit. Ron handed out a letter from MN dept of labor and industry.

Paul Irrthum made a motion and Norbert Kuhn seconded to move to Board of Supervisors. Motion carried 2 ayes 1 nay Bob Dubbels.

DEAN JOHNSON-INTERIM USE PERMIT:

Greg and Helen cook on Chippendale Ave.

Norbert Kuhn gave overview of proposed use recreation hall. Dean Johnson explained that it would not be considered and IUP because it is permanent when a new building is being built. By amending the Ordinance to include dance hall in Ag District it must be allowed at all properties with same Ag status.

When starting from scratch the building would be considered conditional. IUP do not need to be in Comp Plan, but need to be consistent with Ordinance. When making use of existing structure then a IUP can be considered. Commercial- can we remove existing commercial area and start new commercial as no zoned in other areas? No zoned commercial property available for sale in township. Dean Johnson- yes, make sure all land uses, access provisions are considered.

Things to consider:

1. ½ mile spacing
2. Interested in commercial property (neighbors)

CLUSTERING:

Norbert Kuhn explained the township wants to keep Ag Status.

Dean Johnson covenant restriction is recorded at the county 50 that there is no buildable lot on back 40 after buildable lot moved from back to road frontage. Clerk to record at county office.

COLLABORATIVE/COMP PLAN:

Discussion was held regarding Collaborative Plan. Dean Johnson said its best to use Collaborative/Comp Plan in place and make amendmets regarding rural residential, clustering and commercial.

45 day review for neighboring communities 60-120 day review for met council.

Dean Johnson two options:

1. Developer to pay planner
fee same with adding commercial.
2. Fees need to be adopted in
December to be charged in following years.

If you use escrow and refund the unused portion-township cannot get in trouble.

What is process to make changes?

Public Hearing: Comp plan to change land use-commercial

Public Hearing: To amend text of zoning ordinance to include clustering.

(Can be same night)

Cannot change density from 1 house per 10 acres to less 1 house per 5 acres without amending

Collaborative/Comp Plan.

It would possibly cost \$20,000 to rewrite comp plan.

Dean Johnson to send the Clerk a new revised copy of Public Road/ Right of Way.

Bob Dubbels made a motion and Paul Irrthum seconded to accept site plan review sheet. Motion carried 3 ayes.

Bob Dubbels made a motion and Paul Irrthum seconded to add Thursday, February 5th 2009 and Thursday, March 5th 2009 to meeting date schedule. Motion carried 3 ayes.

Paul Irrthum made a motion and Bob Dubbels seconded to adjourn meeting. Motion carried 3 ayes.

Meeting adjourned 10:40 p.m.

Respectfully Submitted

Jane Bistodeau, Clerk