



SYLVAN TOWNSHIP

**PUBLIC HEARING MEETING MINUTES FOR CENTRAL LAKES
MOTOR SPORTS CONDITIONAL USE PERMIT**

MAY 16, 2019 6:00 PM

(Recorded for Transcription Purposes Only)

Call to Order/Pledge of Allegiance/Roll Call – Chair Booth called the meeting to order at 6:00 PM and the Pledge of Allegiance was said. Roll Call: Supervisors John Wulff, Arlene Schmit, Yvette Adelman-Dullinger, Greg Booth, Clerk/Treasurer Faith Broberg, Part time Deputy Clerk, Jenna Ruggles. Supervisor Bennett has an excused absence. Sign – In Sheet Attached.

Purpose of the Meeting – to take comments on the application for a Conditional Use Permit (CUP) by Central Lakes Motor Sports.

Public Notice – read by Chair Booth

Affidavit of Publication – received

Call for Written comments – One written comment was received and read by Chair Booth. Six phone calls were received prior to the meeting. All comments, written or called in, were against the application for a CUP for the Central Lakes Motor Sports.

Presentation of the Application – Dave Johnson, Planning Commission Chair presented Ben Forland's application for a CUP. Dave explained that Mr. Forland's business is presently located on north 371 in Baxter, Mn and he is looking to move his business to his residence on Little Pine Road SW, to downsize his business. His operation would include a test trail on his property, and storm water will be directed to an existing retention area. New fence is proposed as screening from the traveling public on 122nd Street. There would be 5 employees and no new buildings are proposed. The Township road, Little Pine Road is a 5-ton road. Dave had a diagram of the site layout.

Public Hearing Opened to Public Testimony and Questions –

Concerns/Questions that were expressed at the Public Hearing:

- Concern on trail – noise
- How many commercial businesses will be located on this road? (Two there already). Is this business consistent in a residential zone?
- Concern with traffic on the road, test driving, noise.
- There is a bus stop at the intersection of Little Pine Road SW and 122nd Street.
- Will the road handle delivery of machines?
- What is the process if the business wants to expand?
- Is the land located in a shoreland district? "Plan in place" for contaminants; oil, fuel? Close to wetlands and river, is there a storm water "Plan in Place"? Is there an archaeological study required?

Town Board Comments:

Supervisor Wulff – it sounds like the neighborhood is against the application for a CUP for Central Lakes Motor Sports. He didn't realize that this is zoned rural residential.

Ben Forland's Response-

- His purpose is to downsize his business to have more family time.
- The work will be done inside the building and he has special mats/pans for oil spills.
- Regarding semis deliveries when they pull into his place with all the trees they wouldn't be seen.
- OSHA Certified.
- As seen on his site plan, he can guarantee (that location as shown on the map) is the only place where the test driving will take place.
- He can also guarantee that the place (shown on his map) for displaying will be the only place.
- Most of his sales will not even be delivered to his place but shipped directly to the buyer.

At this time, Chair Booth closed the Public portion of the Hearing at this time 6:50 PM. Chair Booth read the three options that are available for the Board to take at this time.

Supervisor Wulff **moved to not approve the application for a Conditional Use Permit at this time**, seconded by Supervisor Adelman-Dullinger. Supervisor Adelman-Dullinger – it appears that Ben Forland is agreeable to any conditions that would be placed on obtaining this CUP. She has a hard time not allowing them to make a living. Supervisor Wulff believes that this is not a "fit" location for this business. Supervisor Schmit would like to see a listing of the exact conditions (i.e. hours) for more specific control.

Chair Booth feels that a commercial business is not suitable with residential zoning.

Chair Booth pointed out that we do have one Board Member missing. The motion on the table to not approve the application was called and the **motion failed** with a tie vote. Supervisors Schmit and Adelman-Dullinger voting against the motion and Supervisors Wulff and Booth voting for the motion.

Supervisor Wulff **moved to recess the meeting to the second Board meeting to June 20th, 2019 at 6:00 PM for obtaining additional information**, seconded by Supervisor Adelman-Dullinger and the motion carried.

The Planning Commission will work on this application and put specific conditions on it.

**Reconvened Public Hearing on June 20, 2019
For Central Lakes Motorsports – Ben Forland**

Call to Order/Pledge of Allegiance/Roll Call: Chair Booth called the meeting to order at 6:00 PM and the Pledge of Allegiance was said. Those present: Supervisors Greg Bennett, John Wulff, Arlene Schmit, Greg Booth, and Yvette Adelman-Dullinger (6:20 PM) and Clerk/Treasurer Faith Broberg, Sign-In Sheet attached.

Agenda: Supervisor Schmit **moved to approve the agenda**, seconded by Supervisor Wulff and the motion carried.

Purpose of the Hearing – Meeting was recessed on May 16, 2019 to consider any additional information regarding the application for a conditional use permit for Central Lakes Motorsports. The Public Testimony had been closed at the Public Hearing in May on the 16th.

Any additional information from the Board:

Chair Booth – some of Chair Booth’s concerns:

1. The location in a residential area is not consistent with the Township’s Comprehensive Plan and the Commercial Ordinance.
2. The method of deliveries by a commercial vehicle is also not consistent with the Township’s Commercial Ordinance and the Comprehensive Plan.
3. Traffic safety is a concern
4. The proposed business could generate excessive noise.

Supervisor Bennett – is also concerned about the proposed location, and the volume of traffic.

Ben Forland – he wants just a small business, no employees and asked if the Board would approve of giving a permit for 3 years and see if there are complaints from the neighbors. He thinks that his neighbors won’t even notice that he is conducting his business

Supervisor Wulff – looking at the Township’s Commercial Ordinance this business is much more than what this residential area can handle.

Supervisor Wulff **moved to not allow this business at this location**, seconded by Supervisor Adelman-Dullinger and **the motion carried** with Supervisors Wulff, Booth and Adelman-Dullinger voting to not allow the business and Supervisors Bennett and Schmit voting against the motion.