

CASTLE ROCK TOWNSHIP
BOARD OF SUPERVISORS PUBLIC HEARING
March 12, 2020

Approved

A Special Public Hearing of the Board of Supervisors of Castle Rock Township was convened at 7:00 pm on March 12, 2020. Present were Kelly Elvestad; Chair, Sandy Weber, Vice-Chair; Jon Juenke, Jeff Partington, and Dave Nicolai Supervisors; and Barbara Lang, Clerk, and Michelle St. Mary, Office Assistant. Also in attendance were Jesse Faust, Madeline Buxton, Carly & John Born, Mike Long, Al & Becky Gildner, Joe Auge, Grant Jacobson, Eric Schulz, Eileen Anderson, Patrick McKinney, Mark Henry, Cory Unterschuetz, Lani Leichty and Jason Hill.

Chair Kelly Elvestad called the meeting to order at 7:00 pm and the Pledge of Allegiance was recited.

Chair Elvestad read the purpose of this hearing:

Purpose of the hearing is to make a final determination as to whether LKQ/Viking Auto Salvage, located at 26548 Chippendale Ave, Northfield, MN, is in violation of Ordinance No. 2014-01 "An Ordinance Allowing the Expansion of the Nonconforming Use Located at 26548 Chippendale Avenue" or Resolution No. 2017-15 "A Resolution Allowing the Expansion of the Nonconforming Use Located at 26548 Chippendale Avenue."

Town Engineer Lani Leichty was invited to explain the updated engineering plan that was submitted by LKQ's engineer, Grant Jacobson. The south pond in the expansion area is adequate as built. The north pond in that area has been re-engineered. The drawings indicate that a new pond will be installed with accommodations in grading to direct more drainage area toward the new pond. Mr. Leichty indicated that the geotextile and groundcover in the original LKQ property were not addressed as requested in the violation notice.

He presented a chart showing various pervious rates depending on the type of ground cover and provided some explanation of how those calculations are made.

Resident Joe Auge asked for a more detailed explanation of the drawings, which Mr. Leichty provided. Township Road Maintenance Contractor Mark Henry gave a brief history of the drainage improvements that were made in the Rocky Hills Addition in 2014. He indicated that Mr. Jacobson had acted as the town engineer at that time and did an excellent job keeping the township's best interests in mind. Until September 2018, when there was a large rain event, there had been no flooding issues once those improvements were implemented.

Grant Jacobson, Engineer for LKQ, gave further explanation regarding the new plan they have submitted. He indicated this will create a 50% increase in capturing runoff and will accommodate some of the overflow created by the surface change in the original property.

Mr. Auge questioned why LKQ was allowed to put blacktop millings on their property. Chair Elvestad read positions of conversations from the Public Hearing that was held prior to the approval of the expansion area to be developed.

Mr. Jacobson indicated that he is working on some type of expansion of the old northeast holding pond to help mitigate the overflow that has been affecting the Rock Hills Addition for the past year or so. Madeline Buxton, LKQ's attorney, spoke and expressed that her understanding is that they are in the process of developing additional engineering plans to address these issues. Mr. Jacobson expects to have updated engineering plans to include improvements in the northeast holding pond ready no later than April 13th to present to the Supervisors.

Jesse Faust from LKQ was also present and expressed that they are trying to work with the township to get the drainage problems taken care of.

There was further discussion by the Supervisors and they asked town attorney Jason Hill for his input. Mr. Hill's recommendation was that the Public Hearing should be continued in order to get the existing

area addressed and have sufficient time for the town engineer to review, and also for the attorneys for the town and LKQ to have time to draw up a single compliance agreement.

Ms. Buxton indicated she is willing to work with the township and can be present if the Public Hearing is continued.

Mr. Hill indicated, and the Supervisors concurred, that a timeline for the work needs to be developed and then LKQ will be required to adhere to that plan. Going forward LKQ will need to remain in compliance with the Ordinance and the Expansion Resolution.

Dave Nicolai made motion and Jon Juenke seconded to Continue the Public Hearing to April 2 at 7 pm. 5 ayes. Motion carried.

Chair Elvestad also brought up two additional considerations that need to be addressed. The wood fence was changed to open fencing along the north property line, which was previously indicated that it would remain the same. The second item was that perhaps some vegetation such as pine trees could be planted along the south expansion property line to screen the cars that are now visible.

Mr. Jacobson will provide updated engineering drawings to Mr. Leichty. Mr. Hill will develop a draft agreement, and the township will need to determine an escrow amount. The Clerk will send a copy of the township Land Disturbance Permit to Mr. Hill, Mr. Leichty, and Mr. Jacobson, as that permit has provisions for requiring an escrow as well as applicable permit fees.

Mr. Leichty also recommended that any agreement that is created should provide a provision for maintenance of all holding ponds going forward.

Public Hearing was declared Continued by Chair Elvestad at 8:12 pm.

Respectfully submitted,

Barbara Lang (original signature on file)

Barbara Lang, Clerk

Attest:

Kelly Elvestad (original signature on file)

Kelly Elvestad, Chair, Board of Supervisors