

Greenvale Township Planning Commission
PUBLIC HEARING – NONCONFORMING LAND USES
Meeting Minutes
Thursday, February 9, 2023

Present: Ken Malecha (Chair); Commissioners Joyce Moore, Scott Norkunas, Victor Volkert; Supervisor Charles Anderson, Board Liaison and Jane Dilley, Town Clerk

Absent: Mark Legvold

Others Present: Maynard Bolton, Andy Anderson, Tom Wirtzfeld, Dave Roehl, Mary Collins, Perry Collins, Jenn & Ron Welbaum, Jess Bodnar, Bruce Paulson, Bob Ruddle, John Fink, Linus Langer, Greg Langer, Tony Rowan, Mittelstaedt Family, Dean Odette, Geralyn Odette

The Pledge of Allegiance was recited at 6:30pm.

Agenda: Chairman Malecha asked if there were any changes to the agenda. Being none, Moore moved to approve the agenda, Norkunas seconded. Motion carried 4 - 0.

Opening of the Meeting: Malecha called the Special Meeting of the Greenvale Township Planning Commission to order. The sole topic of tonight's Public Hearing is regarding An Ordinance to Amend the Greenvale Zoning Ordinance, by Amending Section 4.04 Nonconforming Uses and Structures, Relating to Existing Nonconforming Business Uses of Property.

Attendees were asked to silence electronic devices. If the need arises to take a phone call or a conversation, please step outside the meeting room. The Planning Commission is appointed by the Board to make recommendations on planning and zoning issues. The Planning Commission's recommendations are advisory only; the final decision on any planning and zoning matters is made by the elected Township Board of Supervisors.

One of the responsibilities of the Planning Commission is to hold public hearings so anyone with an interest in the topic has an opportunity to provide testimony and evidence in support of their position. This public hearing is to address the addition of a time frame for an appeal which was not part of the original ordinance.

The Planning Commission’s job is to review applications and ordinances based on regulations that exist in our ordinances and the laws of the State of Minnesota. The Planning Commission does not have the discretion to change or ignore these regulations.

For public testimony, one person at a time is permitted to speak for two minutes. Come up to the microphone, state your name and address. The Chairman will call on all first time speakers before a person will be allowed to speak a second time. This is not a debate or an opportunity to cross examine an applicant. In this situation, the township is the applicant. Audience members were reminded to speak only when called upon and to not disrupt the proceedings. Disruptive attendees may be asked to leave.

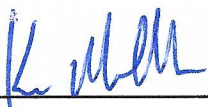
Before public testimony is given, Malecha asked if the Clerk had received any written comments. Dilley replied she only received comments from Planning Commission member Mark Legvold, who was not able to attend the meeting tonight. Legvold suggested a 120 day maximum time limit for appeals. Although the township attorney recommended a 30 or 60 day time limit, Legvold feels 120 days seems reasonable “since all permits have been withheld from public view and close scrutiny.” (Author’s note: all applications under the Nonconforming Land Use ordinance have been part of the public packet at meetings). Time limit for applications previously approved would have a 120 day appeal period, starting from the date the Board adopts the revised ordinance. Legvold provided an example of an application approved by the Board in December 2022: if the Board approved the ordinance on March 20, that application would have a July 20 end date with an appeal period of 120 days.

Malecha then opened the meeting for public testimony. There were no audience members who wanted to speak, with three invitations for public comment.

Malecha asked for a motion to adjourn the Public Hearing. Volkert so moved; Moore seconded. Motion carried 4 – 0. The Public Hearing adjourned at 6:40 pm. The Planning Commission’s regular meeting will convene at 7:00pm.

APPROVED – March 9, 2023

Prepared by:



Ken Malecha, Chair



Jane Dilley, Town Clerk