

**ROCK CREEK PLANNING COMMISSION**  
**APPROVED MINUTES**  
**January 17, 2023**

Chair Curt Kubesh called the planning commission meeting to order at 7:01PM.

**Members present:**

Curt Kubesh, Dan Saumer, Oliver Rauschnot, Donnie Peterman III, Dillon Barton, Stefon Boleen

**Members Absent:** Nancy Brule

**Others present:** Ashley Rauschnot

Oath of office was given to new members: Stefon Boleen and Dillon Barton.

Stefon Boleen read his oath first and then signed.

Dillon Barton read his oath second and then signed.

**Pledge of Allegiance**

*Oliver Rauschnot motioned seconded by Dan Saumer to approve the November 21, 2022 minutes as sent. Motion passed with all ayes.*

**New Business:**

- a. Nancy Brule has not sent in her resignation to the City yet, but she informed Curt that she is resigning from the Planning Commission.

**Old Business:**

Dust Control

Nancy Brule was supposed to be working on the dust control wording. With the information received in New Business, everyone agreed to move dust control to the next meeting. Curt Kubesh and Ashley Rauschnot will work on the wording for the dust control ordinance and bring it to the next meeting.

C-1 Highway Commercial

Our book reads that if your house burns down and you are in the C-1 Highway Commercial, C-2, or Light Industrial zone you cannot rebuild on the same property. Dan Saumer put together a list of what he believes to be at least 95% accurate of all property owners that would be included this. This includes about 70 possible homes. We need to figure out exactly where in our book it states this. After looking at an old email from John Anderson we were able to find the wording that needs to be reworked on page 136-C and page 135 Subd. 3 A 2 in the zoning ordinance book. This is something that needs to be addressed. Need to reword the ordinance to protect existing homes on these properties. Oliver Rauschnot brings up the fact that if a homeowner wants to do a facelift on their house (new roof, windows, siding) that would more than likely exceed 50% of the value of the home and technically wouldn't be allowed with our current zoning wording. Oliver Rauschnot mentioned that maybe we should put a date on it to say houses already built (pre-existing homes) before 2014 (when the zoning map went into effect) that says these

houses are grandfathered in and can be rebuilt. Dan Saumer recommended saying that pre-existing houses are exempt from the non-conforming ordinance? Dan Saumer wants the wording to be specific enough so that it cannot get subdivided into a development in the future. Donnie recommended getting John Anderson's help with the exact wording needed for ordinance.

#### Solar Farms

##### DISCUSSION:

The members main concern is the cleanup of solar farms after they are not being used anymore. There was a suggestion for a conditional use permit using a percentage of the cost of the solar system project as the permit fee to ensure proper cleanup on the back end. There is a concern where the City ordinance does not actually have any effect on solar farms when it comes to Federal grants because Federal trumps Local.

#### Comp Plan

Comp plan just needs to be finalized with one picture and it will be ready to send to council at the next meeting. Ashley Rauschnot will be emailing everyone a final copy before the next meeting.

#### CUP-22-003 Josh Froelich

- 100 attendees per event is too much. Hard no.
- Driveway must be completed before CUP becomes effective.
- Dust control must be applied when conditions required - water only, no chemicals
- Restrooms must be provided via OSHA standards
- Previous CUP-20-001 will be terminated upon approval of CUP-22-003
- 36 Events per Year (Maximum of 1 Event per Day)/40 Person Max per Event

*Donnie Peterman III motioned seconded by Oliver Rauschnot to recommend Council approval of Conditional Use Permit # CUP-22-003 for Josh Froelich with the above conditions.*

*Dan Saumer motioned seconded by Donnie Peterman III to adjourn at 8:32PM. Motion passes with all ayes.*

Ashley Rauschnot  
Deputy Clerk