

**City of Rock Creek  
Planning Commission  
Approved Minutes  
October 20, 2025**

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**Chair, Curt Kubesh, called the Planning Commission meeting to order at 6:00 PM.**

**Members present:**

Curt Kubesh, Dillon Barton, Nancy Rys, Josh Froelich, Chad Pasch, Nancy Runyan, Donnie Peterman III

**Members Absent:** N/A

**Others present:**

Ashley Rauschnot, Don Burger, Amy Thompson, Oliver Rauschnot, and Tom Lindstrom

**Pledge of Allegiance**

**Public Hearing: Nature Shores Resort: Fire Watchtower**

Public Notice was read by Ashley Rauschnot

Josh Froelich recused himself from the Planning Commission Meeting.

Josh came up to present exactly what his plans are with the project.

Josh would like to move, restore, and erect a historic fire watch tower for guest only use at the Nature Shore Resort in the Recreational District. He has joined Force Fire Safety to keep himself informed of all safety necessities that go along with Fire Watch Towers. He also hired a consultant company, Davana LLC, out of New York that will be consulting him and helping him find a tower and get it moved and put in place. Along with all of the safety guidelines and inspections that the State of Minnesota uses for their fire watchtowers, Josh also has some additional things to add based on his insurance company requirements. One of which includes adding a screen to the stairways so nobody can fall through the sides.

Josh's full proposal is as follows:

**Proposed Watchtower at Nature Shores in Rock Creek MN**

Nature Shores, LLC is proposing moving, restoring and erecting a historic fire watch tower for Guest only use at our Resort. We want to save a piece of history here and offer our guests an amazing view of the St Croix River valley. These towers are being

decommissioned around the Midwest each year as the DNR moves to satellite fire locating technology. We want to save a tower, restore it and share this experience with our guests

**Summary of tower we plan to source and details about implementation**

- 100-120ft fire tower with no communications technology of any kind for wildlife viewing in the St Croix River Valley here in the recreational district.
- Using a once government issues and installed tower, refurbished and moved to our property
- Tower Erected behind secure gate with restricted, protected access for our cabin guests during normal business hours
- Proposed location on property meets all lake backs, wetland setbacks, property line setbacks and due to the tree cover on the property zero neighboring homes

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are visible from this site – There is a Drone shot video from proposed location on file -

- Property Map with Site plan located at the end of this document
- We have not sourced our tower yet, but an example of the tower type we are interested in moving to our property is pictured on the last page of this document

**Tower Community Impact**

- With the remote location and mature timber in the area this tower location will not be visible from nearly anywhere outside of the property
- This addition of our tower will add zero additional traffic beyond what our resort is already permitted to allow. ONLY guests staying in cabins at the resort will have access to this tower.

**Ordinance Considerations**

**Section 1000.13: REC-1 RECREATIONAL DISTRICT**

This addition aligns nicely with the goals of the recreational district as it is nature focused, has a low impact, doesn't affect traffic flow, or create noise or visual pollution

**Variance Request on item 7.05** – Maximum height: Ordinance states 35ft maximum height for a structure with the exception of AG– We have trees here in the 80-90ft range and there are power lines going through the same river valley that are over 100ft. Due to the location of the proposed tower we ask for a variance to allow this Nature Viewing tower in the Rec

district as it was originally designed for this exact purpose.

**Section 1000:22 GENERAL REQUIREMENTS**

This whole section is written to regulate implementation of cellular and communication towers. Our tower has nothing to do with communications or technology, nor is it publicly visible or accessible. We believe that this section should not apply to our tower build with the following exceptions

**Variance Request on this section to include only the following items per 15.15** variance request ordinance in this section

15.02.03 – Building Permit Should be Required

15.04.02 – Setback Requirements – These make sense, and our location recommendation meets these requirements

15.05 – Engineer Certification – We will have our tower certified as safe prior to opening and every 5 years after that per the National Park Service Guidelines

15.06.02 – Lighting – We will add no artificial lighting unless required by the FAA

15.06.07 – Security – We will have secured gated guest access

15.06.13 – Drop Zone – We will have only forest surrounding the tower

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15.09.01 – Structural Inspections – We will have our tower certified as safe upon implementation and every 5 years after

15.09.03 – Maintenance – We will follow tower maintenance standards

15.14 – Insurance – We will maintain an insurance policy covering tower and guests using the tower

**Proposed Tower Location on the property – Red Box Proposed Tower Example picture below**



**Curt Kubesh opened the Public Hearing at 6:10pm**

Don Burger: As posted by Staff, Josh has presented a detailed proposal for this accessory use. Assuming that the Rush City airport document proves correct and that no lighting of any kind will be installed, I recommend this project for your approval with the related conditions and variance. Um, It both supports business success and furthers the Recreation District goals. We are fortunate to have such a unique example of enterprise within Rock Creek.

Um, I'd also like to say too that in addition to these comments and the history that we had in Rock Creek working through the cell tower issues, I think

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density of having a rule base that worked throughout the City was part of the influence on the restrictions and going over monopole structures um, but also, I think, in the context of this being on the historical spectrum the fact that you've got Saint Croix State Park also that, you know it's in the newspaper of the federal state or federal park the St. Croix Scenic Riverway. And so with that as a visual standard my thought is that we [...inaudible...] either national park service or the state of Wisconsin, you know in terms of, this would probably be visible in the fall in the ridge sight line if we could look and see the ridge from the view of the done, you know they can see us sort of thing. But it's also unlikely that it's going to be a large impact and it seems very compatible for the overall use of [...inaudible...]

Curt Kubesh: Thank you Don.

**Curt Kubesh closed the Public Hearing at 6:12pm**

Planning Commission Members were all in agreement that this should be a Conditional Use Permit. Nancy Runyan says that towers are not currently allowed in the Recreational District and that a text amendment would be required to add it.

Josh Froelich asked if it could be just added to his current resort conditional use permit as an accessory use. Nancy Rys doesn't think so because it's already been recorded.

Nancy Rys asked if the DNR had been notified of this project. Ashley Rauschnot said that they have been sent a public notice with no response. Josh Froelich said that he is pretty close to a couple of DNR guys and that when he mentioned it to them, they said that it sounded like a cool idea.

Nancy Rys did have concerns about the Life Link flight path between the Cities and Rush City and Siren, WI. Josh Froelich said that the FAA is the guideline and that if they say a light isn't needed, then a light isn't needed.

Josh is asking for several variances in the towers section because he said the tower's section of the City Ordinance refers mainly to communication towers and this is not that.

*Planning Commission members would like to send all of the information to John Anderson at MDG to get his thoughts.*

**Josh Freolich rejoined the Planning Commission Meeting.**

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**Public Hearing: Proposed Text Amendments to the Setbacks for Sewer Systems**

Planning Commission members discussed sewer setbacks at the September meeting after recommendation from City Council. Planning Commission Members asked Ashley Rauschnot to research what other local jurisdictions sewer setbacks are compared to the City of Rock Creek.

This is what Ashley's research determined.

<b>Municipality</b>	<b>State</b>	<b>County</b>	<b>Local</b>	<b>Measured From</b>	<b>Measured To</b>
<b>Rock Creek</b>	130	100	75	Center Line of Road	Absorption Area
<b>Royalton *</b>	108	108	108	Center Line of Road	Toe of Mound
<b>Pine City Township</b>	130	100	63	Center Line of Road	Absorption Area
<b>Pokegama **</b>	43	43	43	Center Line of Road	Absorption Area
<b>Chisago County **</b>	43	43	43	Center Line of Road	Absorption Area
<b>Pine County **</b>	43	43	43	Center Line of Road	Absorption Area
<b>Rushseba **</b>	43	43	43	Center Line of Road	Absorption Area

\* Royalton's ordinance requires a front yard setback of "not less than seventy-five (75) feet off right-of-way" to the toe of the mound. Assuming a 66' road right-of-way (for town roads) our zoning administrator reports a minimum of 108 feet.

\*\* Use MN Statute 7080 Rules

**Curt Kubesh opened the Public Hearing at 6:31pm**

Oliver Rauschnot Do you guys understand what they, they're actually talking about?

Curt Kubesh A little bit

Oliver Rauschnot No, no you don't. Nancy, your old place? Why was there not a sewer site there?

Nancy Runyan Oh, across the street?

Oliver Rauschnot Yep, why was there not a sewer site there?

Nancy Runyan I...cuz that holding tank was put in there a hundred years ago

Oliver Rauschnot Because you have, you didn't meet the setback from the wetlands

Nancy Runyan Right

Oliver Rauschnot From the center of the road, that's what we're talking about right now. Nobody comes into this City for variances. We go to all the other ones for all the lakes and all the other places for variances, but nobody comes into this City for variances. Why is that?

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Nancy Rys: Why is that?

Oliver Rauschnot Because you guys don't really do them

Nancy Rys Well

Oliver Rauschnot So, if you can continue with the ... I'm a contractor and it doesn't matter to me, I'm busy, I'm good. You can continue on the path you're on, basically telling people like your old lot go piss up a rope, you don't get a sewer, you get to go on holding tanks, or you can look at that and regroup on it. It's your call.

Nancy Rys So as the City, how are we going to know that. Is that where we rely on our sewer inspector? The City is not going to go out and...

Oliver Rauschnot Amy do you have time to go around pull all of the variances on this City? Because I don't think you do.

Amy Thompson I check the measurements as the sewers come in but I had to move 3 of them this year because they were too close to the road. I have not seen the fourth one...

Oliver Rauschnot One of them was mine and it was on Government Road, a dirt road that's probably not going to have a lot going on, but what's the setback on that road?

Amy Thompson 100 foot

Oliver Rauschnot 100 foot. Who cares?

Nancy Rys Ok, so it's on Government Road?

Oliver Rauschnot It's on Government Road south of 550<sup>th</sup>?

Amy Thompson It's on Moulton's

Oliver Rauschnot Moulton's

Nancy Rys That's County, we know.

Ashley Rauschnot Yeah that's why it's 100 feet.

Curt Kubesh That's why it's 100 feet.

Nancy Rys But that wouldn't be a variance here?

Amy Thompson No we moved the sewer

Oliver Rauschnot And on that site it was a particularly fine situation but it's like 100 feet is a lot. I can tell you one right here that

Nancy Rys Shouldn't have been

Oliver Rauschnot Correct

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Nancy Rys            I can tell you another one that shouldn't have been

Oliver Rauschnot    But I'm on a dirt road and I gotta move it. I think your numbers are plenty high. Just my opinion.

Nancy Rys            Thank you.

**Curt Kubesh closed the Public Hearing at 6:34pm**

There was much discussion and disagreement between the Planning Commission members on why this was even being looked at. Nancy Rys said that we haven't had a variance in years and that if someone needs a variance for a sewer setback they can come to the City for one at that time. Other Planning Commission members brought up the fact that most people needing a new sewer system are on a time crunch and can't wait months for a variance to be approved, especially when you add in the fact that some of the residents are being fined for a non-compliant sewer with fines accumulating monthly.

Amy Thompson, the City Sewer Inspector, said that she has had to move 4 mound systems just this year because they didn't meet setbacks.

Curt Kubesh said that the most strict county he's every worked in was Chisago County and that if they are ok with 43 feet, then we should be too. Curt said that changing our ordinance to match the majority of the municipalities around us will make Amy's job and the designer's jobs easier.

*Curt Kubesh motioned, seconded by Josh Froelich to recommend the council the approval of text amendments to change sewer setbacks to 10' from all property lines, including the right-of-way, measured from the Center Line of the Road to the Absorption Area, which follows MN State Statute 7080 Rules. Motion passed with a six to one vote, with Curt Kubesh, Josh Froelich, Chad Pasch, Dillon Barton, and Donnie Peterman III, and Nancy Runyan in favor and Nancy Rys against.*

**Public Forum**

**Approval of Minutes**

*Minutes were not completed last month. Approval of September Minutes will be put on the Agenda for November.*

**Old Business – N/A**

**New Business**

**MSD-25-004: Minor Subdivision | Oliver Rauschnot**

Oliver Rauschnot presented to the Planning Commission that he would like to split his 80-acre parcel [R43.0529.000 on Fairfield Avenue in the Agricultural District] into three parcels.

Oliver had a wetland delineation done and it was determined that a buildable area on the other side of the creek is indeed not wetlands. He would like to split off approximately 5 acres there.

The second parcel being split off is the house with approximately 14 acres. Oliver said the main reason for doing this is because if the house is on less acreage he can throw it over the

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conventional market for a better interest rate on a loan.

The remaining parcel will be approximately 60 acres of mostly farmland and a shop. The survey provided includes a driveway easement, but Oliver said at a later time he may move the driveway for the remaining acreage to have his own.

Nancy Rys said that this split is not allowed according to the ordinance book. She said that parcels can only be split 1 time in the agricultural district, meaning that it could only be split into two parcels.

Planning Commission members disagreed with her and said that this is not how most of them interpret what the book says.

Planning Commission members spent some time reading different sections of the ordinance book and could not come to an agreement on how it is interpreted.

It was brought up that we did a similar split on a parcel in 2024 for a parcel that was split into 3 parcels. Curt Kubesh said that because of this we have already set precedence and that Oliver should not be punished because of that.

Many Planning Commission members agreed and decided to bring it to a vote, stating that this Minor Subdivision application has provided everything necessary and followed all minimum acreage and road frontage guidelines. Planning Commission members agreed that the Minor Subdivision section of the ordinance book needs some fine tuning so and clarifications so that everyone is on the same page.

*Josh Froelich motioned seconded by Curt Kubesh to recommend for approval the Minor Subdivision Application MSD-25-004 for Oliver Rauschnot to the City Council. Motion passed with a 5 to 2 vote, with Curt Kubesh, Josh Froelich, Chad Pasch, Dillon Barton, and Donnie Peterman III in favor and Nancy Rys and Nancy Runyan against.*

**City Council Notes – N/A**

***Donnie Peterman III motioned seconded by Dillon Barton to adjourn at 7:16PM. Motion passed with all ayes.***

Ashley Rauschnot  
Deputy Clerk