

Marysville Township
MONTHLY BOARD MEETING
Monday January 29th, 2018

Meeting: The meeting was called to order by Chair Augie Reibel at 7:00 PM. Members present: Augie Riebel Chair, Jane Hurley Vice-Chair, Joe Hickman Supervisor, Debbie Uecker Clerk-Treasurer, Marty Randall Deputy Clerk-Treasurer, Ron Boehlke Road Maintenance and 34 residents.

Pledge of Allegiance: Recited.

Meeting Minutes: A motion to accept the December 2017 Monthly Minutes was made by Joe Hickman, 2nd by Jane Hurley and carried 3-0.

Treasurers Report: The beginning balance for January 2017 is \$86,894.63, receipts of \$8,252.76, expenses of \$21,438.05 and ending balance of \$73,709.34. A motion to accept the Treasurers' report was made by Joe Hickman, 2nd by Jane Hurley and carried 3-0.

Old Business:

1) Fred Bonk explained that Wright County will no longer give a list of who pays gravel tax and it is only by PID number. The breakdown of gravel tax is 45% to Township, 45% kept by Wright County and 5% into the reclamation fund.

New Business:

1) Jurgen Preugschas was present to discuss a CUP for Deer Lake Orchard. A CUP is needed to allow a Commercial Agricultural Tourism as regulated under Wright County Planning and Zoning which includes the existing apple orchard, buildings and outdoor activities on associated and surrounding land on a restricted parcel. Activities to include large events such as weddings for up to 275 people with the use of the barn, a cider tap room, cider processing, corn maze and other outdoor events associated with an orchard.

Augie Riebel read a letter dated 10/10/2017 from Wright County Planning and Zoning administrator Sean Riley stated that "it was brought to their attention that there have been significant expansions done without permits and County approval, such as a large wedding events, cider taproom, pizza firetruck, etc. As it was discussed when the property was purchased that it was limited to agricultural uses. These additional types of uses require a conditional use permit through our Planning Commission along with proper building permits. We have also stated in former correspondence that the property is considered restricted lands since a development was created on the surrounding parcels. This will need to be reviewed by the Planning Commission at a public hearing."

Augie Riebel stated that the matter was heard at the Wright County Planning and Zoning Commission meeting on January 11th, 2018 and a site inspection has been done. This matter is before the Township after the meeting due to the date of our December 2017 meeting.

Jurgen Preugschas stated that Deer Lake has been around for a long time and is looking to get proper permits under the County's guidelines. He has owned the Orchard for seven years. No CUP was needed as the Apple Orchard falls under Agricultural and that is what the land was zoned for.

Parking has been an issue in the past and we have a plan to have parking up front from the County Road. Currently we can have 138 cars, with up to 168 additional parking spots.

Noise has been an issue and they are working with Wright County to resolve the issue.

Corn Maze is on our new property and guests go thru a 4 to 5-acre maze which is accessed thru the Orchard.

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Augie Riebel opened the floor up to any questions.

Fred Bonk asked if the 275 people is for weddings on Saturdays plus apple orchard customers. Vendors add more vehicles and wants to see that parking is in front of property off the County Road and is concerned about public safety with parking.

Jurgen Preugschas stated that orchard traffic is in the mornings and wedding party starts coming about 3pm and guests show up closer to 4:30pm and it is possible to have up to 400 people possibly crossover.

Daryl & Jane Johnson live about 800 feet from the orchard and stated that Deer Lake does a good job and hires young local kids. Their concern is the noise level. They moved to their house in 2001 because it was quiet. The Orchard used to run August thru October on weekends it was festive and fun. Currently now from April/May thru October/November people drive down the dead-end road trying to find the wedding site, it has become loud with dancing and alcohol on site. The Johnson's did go and talk with Jurgen Preugschas about the issue and their biggest concern is to keep down the noise.

AJ Ecker asked how many weddings they have. It is a nice place and a nice addition to the community of Buffalo and generates revenue for restaurants, hotels and gas stations. Please take revenue into consideration.

Jurgen Preugschas stated it is up to 25 wedding per year.

Tammy Pfeiffer's property touches the apple orchard property and is concerned about the noise. She has 76 acres for wildlife property and has been there for 20 years. They built out there to avoid the noise, the corn maze is not far from her house and hears people screaming, yelling and running around. It is zoned for Agricultural not for mazes. Parking is currently for 130 cars and we still have people parking on the gravel road, County road and it is a safety concern. How is growing apples associated with weddings? Apple season is August thru October, why is it starting in April? Buildings are not up to code to having weddings, tap room and food. Who is regulating it and is it licensed? How much Alcohol is being made? Once the pumpkin patch is done growing is that done, or do you bring more in?

Nancy Drumsta lives close to the Orchard and understands they have experienced growing pains and wants to continue to be able to go to the Apple Orchard and not take sides. They employ a lot of good kids and want them to continue in the future.

Dan Techman has lived by the Orchard for 28 years and has no problem with parking or noise. The music is off by 4:30 pm. The current owners have improved the property more than any other owner.

Kristine Hamm lives off Bolton and they have been a good neighbor and has enjoyed most of the music and is glad to see they are applying to get the CUP and happy to see the right permits are being applied for. A landowner should be able to run a business under the correct permitting.

Jean Haften has lived on 15th Street since 1989 and has worked at Deer Lake for the last 16 years. This is an apple orchard. They have planted 6,000 new trees and they are trying hard to expand. Parking is an issue and the owners are working on a solution for that. Could the County and Township place no parking signs on the roads? No construction company builds a few houses and expects to be profitable and in business. No farmer can farm 5 acres and expect to be profitable. Everyone makes noise, gun shots are constantly heard until midnight. If you have a problem, go and talk to your neighbor.

Fred Bonk stated to Dan Techman that the music goes past 4:30pm, it goes until midnight. Wright County will issue the permit, Marysville Township is here to listen and make recommendation guidelines to Wright County.

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Jane Johnson recommends 10pm or 9pm cut off for music and to add no parking signs on county road 108 and township road.

Jurgen Preugschas stated that there is no way to guarantee pumpkins/apples revenue each year and if enough crop can be grown for customers year after year due to hail, drought, wet, etc. some years supply to other orchards are needed and sometimes we need to buy to supply from them.

Cider House is licensed thru the Department of Agricultural thru the State of Minnesota. The license covers both manufacturing and selling of it. Three years ago, Wright County referred us to the State of Minnesota for licensing.

Food is licensed thru the Department of Agricultural and inspected every year thru the State of Minnesota. It includes our commercial kitchen; pizza truck is just an oven in the truck that cooks the pizza and stays on site.

Weddings must all be catered by a licensed caterer.

We are working on solutions to control the noise level such as keeping all music indoors and to have speakers lower to the ground.

Jane Hurley What is your proposed time to have music, to allow your neighbors to sleep?

Jurgen Preugschas stated that all speakers will be inside, midnight is current cutoff time and would be ok with 11pm cutoff time.

AJ Ecker stated that City of Buffalo is a 10pm cutoff time for noise.

Augie Riebel asked if 10pm is acceptable. Tonight, is the meeting to for residents to speak at in favor or against the request? Wright County Planning and Zoning commission meeting is February 8th and it is still open to public comments to speak at the meeting.

Linda Marquette has lived nearby for 23 years and support Jurgen Preugschas; however, is most concerned over parking. The noise is not heard thru the fields and just the number of people that would be at a wedding makes noise themselves. If music was done by 9pm or 10pm that would be good, I would like to see quiet by 10:30pm and hope Jurgen Preugschas can make everything work.

Angie Aho lives near by and doesn't hear any noise, she has worked for Deer Lake Orchard and hopes a compromise can be worked out.

John Ecker stated Deer Lake Apple Orchard is a good community event and place to go. He doesn't live here but came out to support Jurgen Preugschas. It is a wonderful place to take a family and with all the suggestions it will need to be fine-tuned. He knows that businesses have to expand to stay in business, he is not sure about wildlife but does see an abundant of deer and pheasants on the Orchard.

Augie Riebel stated that no one on here wants to run them out of business but we need to find a happy medium.

Greg Buetenhoff stated his Dad started the Apple Orchard in 1965 and it is hard work. His daughter and niece were both married there this fall and had a wonderful experience and pleaded to iron out the complaints.

Dan Techman has worked there for many years, people come in and say they have been coming here for years and enjoy the orchard. He wanted to clarify that at 4:30pm is what the apple orchard music is off, not the weddings.

Jean Haften stated that the orchard has 25 weddings per year that is out of 365 days in a year. Noise can be an inconvenience maybe 11 pm is a reasonable time and everyone is gone by 12 pm.

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Augie Riebel stated maybe music should be done by 10pm and everyone out by 11pm.

Kristine Hamm stated that 10pm is way too early for wedding music to end.

Jean Haften also stated that a Sheriff Deputy is on duty at every wedding.

Jane Johnson would like to see the sound go down. The 25 days of weddings are 25 days of summer, if weddings can happen in the winter, go for it. She is not angry just frustrated. She would like music to end by 10pm and everyone out by 11pm.

Chuck Dressen suggested that the amplifiers get turned down.

Fred Bonk stated that February 8th is the next county meeting to hear this matter. The county is looking for a recommendation from the Township. Fred Bonk asked what time the corn maze and haunted hay ride is?

Jurgen Preugschas said the corn maze is at 6pm and the haunted hay ride is at 8pm.

Tammy Pfeiffer asked where the weddings are held since the barn was not approved?

Jurgen Preugschas is looking into having the weddings in a tent and will work on keeping the noise down.

Tammy Pfeiffer asked where he tent would be and how long could it stay there? Does that fall under Agricultural Tourism to allow weddings?

Augie Riebel stated that is a good question and Jurgen Preugschas has a lot of hoops to go thru to do this. He did say any building that has over 250 people in it has to be sprinkled as stated by Greg Kaizer, Wright County Attorney.

Jurgen Preugschas stated he is working on the building codes.

Jane Hurley stated that once everything is set up with the orchard, is there only one wedding per day?

Jurgen Preugschas did state that they can only handle one wedding per day.

Linda Marquette asked if this would start a precedence, since she owns 50 acres and wants to know if she can do this. Fireworks are noisy and asked if they came from the Apple Orchard?

Jurgen Preugschas stated they have never had fireworks and has heard and saw them as well. They are from a neighbor's property.

Randy Desmarais questioned if the CUP is just for the Apple Orchard parcel or all the parcels they have acquired?

Jurgen Preugschas stated that the CUP would cover all parcels and be under the same CUP with county for animals and apple storage for production.

Tammy Pfeiffer asked what are the consequences for not complying. How would you close it?

Augie Riebel stated is not the Township, but Wright County that does the Planning and Zoning and they regulate it and would have authority to close it. Marysville can recommend a term on the CUP.

Hollis Larson asked how many years would you renew the CUP for?

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Fred Bonk stated that it could come back to the Township every two years for a term or depends on what term is needed.

Tammy Pfeiffer asked if it would be re-zoned commercial.

Jurgen Preugschas is under the impression it would stay Agricultural Tourism and taxed that way.

Randy Desmarais stated that land is agricultural, wedding/apples – would be seasonal zoning,

Augie Riebel stated that he is hearing the same three biggest issues, parking, Alcohol and noise.

Hollis Larson asked what parking means. Is it just grass? What happens when we get 3" of rain?

Jurgen Preugschas stated that all parking needs to be on the apple orchard.

Tammy Pfeiffer asked with 200 cars what is the impact on the environment of oil leaking on ground? What is the retention?

Chuck Dressen what material is the parking lot going too made up of?

Jurgen Preugschas it will be class 5 gravel.

Joe Hickman asked if Wright County had given a recommendation for no parking signs.

Jurgen Preugschas stated that if Wright County required them, then he would have to pay for them.

Joe Hickman stated that caution signs could be used on County Road 108 coming down the hill.

Marty Randall stated the yellow road advisory sign says 40 mph.

Jurgen Preugschas stated no parking signs on the hill would help.

Jane Hurley stated that the sheriff would enforce the no parking not Jurgen Preugschas.

Augie Riebel asked if there were any more comments. Having heard no more comments on the matter he did close the comment period. He thanked everyone for coming to the meeting. A motion was made by Augie Riebel, 2nd by Jane Hurley to table the matter until the end of the meeting. Motion Carried 3-0.

2) Marysville Township Election Judge List was reviewed. A motion to accept the March 2018 list of Election Judges was made by Jane Hurley, seconded by Joe Hickman and carried 3-0.

3) The Local Board of Appeal and Equalization meeting will be held on April 20th at 1:00pm at Marysville Township Hall.

4) Gravel hauling will be advertised for quotes to haul about 8,000 yards.

4) A motion to renew CD's #20007, #20008, #20009 and #19738 for a 12month term at .20% APR was made by Jane Hurley, 2nd by Joe Hickman and carried 3-0.

Business from the Floor:

1) Chuck Dressen asked about the Untided Orchard road and what the Township Board plans for turning around? Augie Riebel stated that we need to have a turn around for a truck. Chuck asked if it makes sense to have a turn around at the end of the Township road. Augie stated that it will not be a cul-de-sac, just a big turnaround.

2) Chuck Dressen asked he can get a copy of the Township Financials prior to the annual meeting? Augie Riebel stated that we will check on it.

New Business Continued:

The Marysville Township Board is making the following recommendations in consideration of the CUP for Jurgen Preugschas:

No parking allowed on either side of the road including Clementa Ave SW and Bolton Ave SW and County Road 108 between Clementa Ave SW and Bolton Ave Sw.

Flashing Advisory/Warning sign on top of hill at County Road 108 during the Apple Orchard Season that is to the effects of "congested area ahead".

All parking must remain on Apple Orchard, with entrance and exit off County Road 108. Place additional visible signs/directions for parking.

Amplified music to be off at 10pm Friday - Saturday nights, with wedding/event goes out by 11pm.

Amplified music to be off at 6pm Sunday – Thursday nights, with wedding/event goes out by 7pm.
Speakers no higher than 6 feet from the ground.
Speakers must be indoors and pointed away from open doors.

No more than 25 weddings in a calendar year. Weddings can only be on a Friday, Saturday or Sunday.

Consider a maximum decibel limit for amplified music appropriate for the event; for example, not to exceed 100 decibels.

All applicable licensing needs to be current with County and/or State Statues

1-year condition for renewal of guidelines.

There being no other business to be brought before the Town Board, the monthly meeting was adjourned by Augie Riebel at 9:29 p.m.

Prepared by: _____ Date _____
Debbie Uecker, Clerk/Treasurer

Board Signature: _____ Date _____
Chairman

Vice – Chairman

Supervisor

Date Filed: _____

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