

Royalton Township Working Planning Commission Meeting Minutes  
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17 June 2021  
Approved

7:00 p.m., 17 June 2021, Chair Leslie Orvis convened the Royalton Township working planning commission meeting with members Priscilla Schneider, Duane Swanson, and Gary Valvoda present and Jeff Schlaeger absent. Supervisor Wayne Olson, Zoning Administrator John Kemen, Sewer Administrator Amy Thompson, and Dale Heidelberger also attended.

Chair Orvis called on Sewer Administrator Thompson to update the commission on the negotiations regarding the septic system for Mr. Heidelberger's proposed restaurant. She distributed copies of the Minnesota Pollution Control Agency's Wastewater Treatment and Dispersal Operating Permit, saying that this would be the governing document for the system for the restaurant. It would permit regular monitoring of the system. Sampling would be done once each quarter to determine if pre-treatment was necessary. For Mr. Heidelberger's proposed facility, successful results from Treatment Level C would be required to avoid pre-treatment. If numbers exceed the levels permitted, a pre-treatment system would have to be installed. Both Administrator Thompson and Mr. Heidelberger have been working with Donald Ramberg regarding this permit, and all are in agreement that it should be tried. The operating permit would have to be renewed each year; the required sampling could be done by any Minnesota-licensed service provider. Administrator Thompson noted that this sample permit should be part of the Findings of Fact to be prepared for the town board.

Chair Orvis then called for discussion about Draft #2 of the Findings of Fact and Decision, prepared by Clerk Swanson. Mr. Heidelberger noted that he had several changes/additions to suggest. He would like to have the hours of operation extended so that public operation could range from 5:00 a.m. to 10:00 p.m. He doubted that the restaurant would remain open that late, but he would like that option to exist. He noted that tables would be placed under the canopy so that individuals could bring meat, etc., from the counter inside and eat it outside. Normally, there would not be wait service outside.

Member Valvoda read Draft #2 of the Findings of Fact and Decision word by word to allow for comments from the commission or Mr. Heidelberger. Under point 1, "between 35 and 50 individuals" was changed to "up to 50 individuals." Point 5d generated substantial discussion about the size of allowable signage. Previous conditional/interim use permits have limited on-premises signs to 4 x 8 feet, which is larger than the ordinance allows. The ordinance does give the board discretion in setting the size of signs. Majority consensus seemed to be that a 5 x 10-foot sign was acceptable, composed of either fluorescent bulbs inside or two bulbs outside shining down. Maximum height should be 30'. Signage may require additional discussion.

Based on a measurement by Mr. Heidelberger of the storage building that will be moved onto the site, the footage in point 5g was changed to 14 x 24 feet.

Under "Additional restrictions, point 2a, the hours of operation, were changed from 5:00 a.m. to 10:00 p.m. Additions to point 5 include adding a new point 5a: "Requires a Minnesota Pollution Control Agency Wastewater Treatment and Dispersal Operating Permit to be issued, with quarterly monitoring; that monitoring results according to Treatment Level C will be used to determine if a pre-treatment system is required to be installed (said design of the initial system to allow for the possibility of a pre-treatment system); and that this permit must be renewed annually to guarantee that the system is functioning adequately."

LO\_\_\_\_ JS\_\_\_\_ PS\_\_\_\_ DS\_\_\_\_ GV\_\_\_\_

Additions to point 6 were: a. "Permits the retail meat market to sell a limited number of other food items, generally accepted as food staples (e.g. bread, milk, eggs, etc.)." b. "Prohibits the sale or serving of alcoholic beverages." With these additions, it appeared that the commission and Mr. Heidelberg was satisfied with the draft, with the exception of finalizing lighting and signage issues.

Mr. Heidelberg asked about the timeline for a decision. He needs to get engineer-produced blueprints for the building permits and would like to start. Chair Orvis indicated that the planning commission would need to see a draft #3, which would be available by its meeting on 29 June. It was doubtful if final approval could be received at the 29th meeting, that would be up to the town board. Discussion about a preliminary approval that would permit Mr. Heidelberg to move forward with additional plans was discussed with no resolution. Lighting and signage remain points of discussion. The commission discussed the effect of item 7 (page 77) of the outdoor lighting ordinance and the need for that to remain in force. If lighting is a problem, it would be possible to eventually plant additional trees near the west end of his property to shield residences. With the discussion of the conditional use permit concluded, Mr. Heidelberg left the meeting.

At 8:30 p.m., the meeting concluded.

Respectfully submitted,

Duane P. Swanson, Clerk/Member

Leslie Orvis, Chair/Member

Jeff Schlaeger, Member

Priscilla Schneider, Member

Gary Valvoda, Member