

Carver County Planning Commission

Regular Meeting - **Tuesday, May 16, 2023**

Commissioners' Meeting Room

2nd Floor Human Services Bldg

Government Center – Chaska, Mn

AGENDA

7:00 P.M.

- 1.) Approve minutes of April 18, 2023, regular meeting
Pages 1-1 through 1-8
- 2.) **File #PZ20230022** – Public hearing on application by Mitchell Jamison
for a Conditional Use Permit. (Public Equestrian Facility)
San Francisco Township Pages 2-1 through 2-12
- 3.) **File #PZ20230020** – Public hearing on application by Matt Dunn for a
Conditional Use Permit amendment. (Large Scale Activity-Recreational)
Dahlgren Township Pages 3-1 through 3-48

Other Business

CARVER COUNTY PLANNING COMMISSION
Regular Meeting – April 18, 2023
Minutes

Members Present: Scott Wakefield, Scott Hoese, Greg Grazzini, Matthew Kerber, Andy Steinhagen, John P Fahey

Members Late: None

Members Absent: Frank Mendez

Staff Present: Jason Mielke, Donovan Hart, Christina Neel

Pursuant to due call and published notice thereof, the April 18, 2023, regular meeting of the Carver County Planning Commission was called to order by Chairman Wakefield at 7:00 p.m.

Agenda – A motion was made by Steinhagen to approve the agenda as printed. Grazzini seconded the motion for approval. All voted aye. Motion carried.

Minutes – A motion was made by Hoese and seconded by Grazzini to approve the minutes from the March 21, 2023, regular meeting. All voted aye. Motion carried.

File #PZ20230017 – Kevin Ciernia – Chairman Wakefield called the public hearing to order at 7:01 p.m. to consider a request by Kevin Ciernia. The purpose of the public hearing was to consider a request for a Home Extended Business Accessory Use pursuant to Chapter 152 of the County Code. The property is located in Section 25 of Dahlgren Township.

The following were present: Kevin Ciernia, Brian Gennrich, Mindy Meierbachtol, David Diethelm, Bob Haselmann, Tom Diethelm

The following items were entered into the record:

Exhibit A – Legal Description

Exhibit B – Proof of Publication of the Hearing Notice

Exhibit C – Proof of Mailing of the Hearing Notice

Exhibit D – Site Plan

Exhibit E – Letter from the applicant March 22, 2023

Exhibit F – Staff Report addressed to the Planning Commission and Dahlgren Township dated April 10, 2023, and all attachments

Exhibit G – Letter of support from Jon West dated April 16, 2023

Hart stated the applicant owns an approximate 9.83-acre parcel, improved with a single-family dwelling and attached garage, an accessory structure and three cargo containers. The size of Mr. Ciernia's business classifies it as a Home Extended Business Accessory Use (HEBAU), and he received a variance (PZ20230003) to operate his small-scale engine repair business (Full Spectrum Motors) from the accessory structure which is within 500 feet of three neighboring residences. Mr. Ciernia has submitted an operational plan outlining the details of the business,

and a site plan showing the existing business structure and operational area and is seeking a Conditional Use Permit to operate on this property. The applicant's letter states the hours of operations are "in line with a small auto repair shop". He currently has 1-2 part-time employees and has no plans to expand the business beyond its current operating capacity. He stated customers come to the property to drop off vehicles for repair and parts delivery vehicles visit the property a couple of times per day. Erin Smith, Community Development Director for the City of Carver reviewed the application and had no comments. Jack Johansen, Carver County Public Works Transportation Planner, reviewed the request and commented, "*The field access between the northernmost access and the southernmost must be removed.*" Jacob McClain, Carver County Senior Environmentalist, reviewed the request and stated there is a holding tank in the existing shed, but had no concerns with the current SSTS system. The Dahlgren Town Board reviewed and recommended approval the request at their February 13, 2023, meeting and had no additional comments. Hart read the proposed conditions for consideration if the request is approved. He stated if the Planning Commission would recommend denial of the request, the reasons supporting denial would need to be stated.

Mr. Ciernia had no additional comments at this time.

Chairman Wakefield asked the applicant if he has read and agrees with the proposed conditions of the permit.

Mr. Ciernia replied he agrees with the conditions.

Brian Gennrich, Dahlgren Township supervisor, confirmed the applicant appeared at their February meeting and stated the Town Board had no questions, comments or concerns about the request and voted unanimously to recommend approval for the CUP. Gennrich also noted he was in attendance at the public hearing for Mr. Ciernia's variance and there were no objections at that meeting about his operation.

A motion was made by Fahey to close the public hearing. The motion was seconded by Steinhagen. Chairman Wakefield called for a vote on the motion. All voted aye. Motion carried. The public hearing was closed at 7:09 p.m.

Fahey made a motion to **approve and issue Resolution #23-05** incorporating the findings of fact and staff recommendations approving the Conditional Use Permit for a Home Extended Business Accessory Use. Steinhagen seconded the motion for approval. Chairman Wakefield called for a vote on the motion for recommending approval of the request to the County Board. All voted aye. Motion carried.

File #PZ20230016 – Dennis Henning – Chairman Wakefield called the public hearing to order at 7:10 p.m. to consider a request by Dennis Henning. The purpose of the public hearing was to consider a request for a Farm-Related Business (Henning Excavating) pursuant to Chapter 152 of the County Code. The property is located in Section 33 of Hollywood Township.

The following were present: Dennis Henning

The following items were entered into the record:

Exhibit A – Legal Description

Exhibit B – Proof of Publication of the Hearing Notice

Exhibit C – Proof of Mailing of the Hearing Notice

Exhibit D – Site Plan

Exhibit E – Letter from the applicant dated March 21, 2023

Exhibit F – Staff Report addressed to the Planning Commission and Hollywood Township dated April 10, 2023, and all attachments.

Neel stated the applicants own two adjacent parcels improved with a house with attached garage, two commercial buildings, wetlands, agricultural production land and the farm-related business, Henning Excavating. Mr. Henning is requesting to amend the existing CUP to expand the operational area and add an addition to the existing structure used for the excavating business. The original CUP was issued to the property in 1982 and the operational rea was expanded in 1989, with an approximate 1,320 square foot addition to the existing building. The business consists of installing shed pads, water lines, footings, farm drainage and some emergency work for surrounding cities. The submitted site plan shows the current and future operational areas between the two parcels. The current area consists of a 50' x 150' commercial building and a 40' x 90' building used to storage excavating equipment, pipes, and vehicles. Outdoor storage involves additional trailers, excavation equipment and small gravel stockpiles. There is no screening proposed at this time. The applicants would like to add approximately 4,000 square feet of commercial storage to the north building. The hours of operation are sunrise to sunset, approximately 7:00 a.m. to 8:00 or 9:00 p.m. in the summer months. The number of employees consist of four family members at this location, with family living in the house on site. The business estimates approximately four trips to and from the site per day, with customers rarely coming to the site. The business has ten business/company vehicles stored on site consisting of dump trucks, lowboys, and equipment trailers. If required, all CCWMO related permits and conditions shall be met prior to the issuance of any building permits or beginning any excavation activity. At this time, there is no plan to add signage to the site, but might be included in future plans. On April 4, 2023, staff received a letter of support for the request from Clay Montgomery. The City of New Germany reviewed the application and site plan and indicated they did not have any concerns with the request. The Hollywood Town Board reviewed the request during their March 13, 2023, meeting and recommended approval without additional comments. Neel read the proposed conditions for consideration if the request is approved. If the Planning Commission would recommend denial of the request, the reasons supporting denial would need to be stated.

Mr. Henning had no additional comments at this time.

Chairman Wakefield asked if he had read and agrees with the proposed conditions of the permit.

Mr. Henning stated he has read and agrees with the proposed conditions.

No one was present to represent the Hollywood Township Board.

A motion was made by Steinhagen to close the public hearing. The motion to close was seconded by Grazzini. Chairman Wakefield called for a vote on the motion. All voted aye. Motion carried. The public hearing was closed at 7:16 p.m.

Hoese made a motion to **approve and issue Resolution #23-06** incorporating the findings of fact and staff recommendations approving the Conditional Use Permit for a Farm-Related Business (Henning Excavating). Steinhagen seconded the motion for approval. Chairman Wakefield called for a vote on the motion for recommending approval of the request to the County Board. All voted aye. Motion carried.

File #PZ20230013 – Mark Eklo – Chairman Wakefield called the public hearing to order at 7:17 p.m. to consider a request by Mark Eklo. The purpose of the public hearing was to consider a request for a Preliminary Plat (Hilk Acres) pursuant to Chapter 151 of the County Code. The property is located in Section 3 of Waconia Township.

The following were present: Mark Eklo, Jerry Hargis, Jennifer Hargis, Thomas Meuffels, Cassandra Meuffels, Dave Philp

The following items were entered into the record:

Exhibit A – Legal Description

Exhibit B – Proof of Publication of the Hearing Notice

Exhibit C – Proof of Mailing of the Hearing Notice

Exhibit D – Site Plan

Exhibit E – Letter from the applicant

Exhibit F – Staff Report addressed to the Planning Commission and Waconia Township dated April 10, 2023, and all attachments.

Neel stated the applicant recently purchased the approximate 8.13-acre parcel which is currently undeveloped, wooded, and without any wetland areas. In January 2023, a CUP was issued on the parcel granting additional density for three residential wooded lots. This request is for approval of the preliminary plat of Hilk Acres, consisting of three residential wooded lots for single-family dwellings. Copies of the preliminary plat have been sent to all of the required local units of government, school district, and utility companies for comments. The lots are laid out in such a manner that there are no more than four homes per quarter-quarter as permitted by the density regulations of the Zoning Code. The lots range in size from 2.5 to 2.6 acres, each having a defined building site that conforms to code requirements. Utility and drainage easements around each of the three lots are identified and there are no wetlands on the property. Each of the lots will have access from 66th St, the local township road, and the driveway permits will be reviewed, approved, and issued by Waconia Township prior to any building permit approvals. Carver County Environmental Services has received a report from a licensed SSTS professional identifying the primary and alternate SSTS locations on each lot. Any stormwater and erosion control measures will need to be addressed by the CCWMO prior to issuance of any building permits. The SWCD would also be involved in the review and approval of plans as they relate to the Water Rules, Wetland Conservation Act and the Stormwater Pollution Prevention Plan, if applicable. The draft covenants have been submitted with the application and will need to be

reviewed and approved by Carver County prior to final plat approval. The Waconia Town Board reviewed and recommended approval of the Hilk Acres Preliminary Plat during their March 7, 2023, meeting without additional comments. Neel read the proposed conditions for consideration if the Planning Commission recommends approval of the request. If the Planning Commission would recommend denial of the request, the reasons supporting denial would need to be stated.

Mr. Eklo had no additional comments.

Chairman Wakefield asked the applicant if he has read and agrees with the proposed conditions of the permit.

Mr. Eklo stated he has read and agrees with the proposed conditions.

Wakefield, speaking as Waconia Township Treasurer, confirmed that the Township discussed waterflow concerns and a culvert to the north to everyone's satisfaction and the Township was fully supportive of the plat.

A motion was made by Fahey to close the public hearing. The motion was seconded by Grazzini. Chairman Wakefield called for a vote on the motion. All voted aye. Motion carried. The public hearing was closed at 7:22 p.m.

Steinhagen stated he visited the site and noted that 66th St is rather narrow. He asked if Waconia Township has any plan to make it wider.

Chairman Wakefield, speaking as Waconia Township board member, stated the Township is aware of the road conditions in that location and will also be removing the trees from the right of way which will allow more sunlight to get to the road to improve the conditions and the accesses for the new lots.

Jennifer Harges, 11282 66th St, asked where the construction vehicles would be parked when work will be done to the road and how the road will be maintained with larger equipment on it.

Mr. Eklo clarified he is developing the plat and will be selling the lots to individuals who will be constructing houses. He stated each lot will have a long driveway and believed there would be room on each lot for the construction workers' vehicles.

Chairman Wakefield stated the Township will be making improvements to widen and build the road up. He reiterated that removing the trees from the road ditches will also help to improve the condition of the road.

Mielke added that the development of these 3 lots ism different are a development in a city, where grading typically takes place for all lots at one time. In Mr. Elko's case, each lot would likely be developed at different times and the access permits would be issued when the owners apply for the building permit. Each landowner would need to construct the access and driveway on the property so that the builders can get to the location on the lot to construct the house. If the

Township widens the road, contractors may have extra area to park along 66th Street during house construction if allowed by the Township.

Ms. Harges asked when this construction might begin.

Mielke stated the construction activity of each lot would be up to the individual landowner.

Mr. Eklo stated a company has been hired to remove the trees from the road right of way and they have committed to having the work completed by the end of May.

Chairman Wakefield, speaking for Waconia Township, stated the improvements to widen 66th Street are a priority of the township and they will begin their work after the trees are removed.

And with these public comments, the board re-opened the public hearing.

Dave Philp, 10720 North Shore Rd, stated he is planning to market these lots and may have them sold by the end of the summer. The trees were scheduled to be removed in January but there was a delay.

Chairman Wakefield also noted that the Township will need a little time get the road built to the specifications they require.

Hoese asked how many residences were along 66th St.

The aerial map was used to indicate the parcels along 66th St.

A motion was made by Grazzini to close the public hearing. Hoese seconded the motion to close. Chairman Wakefield called for a vote on the motion. All voted aye. The re-opened public hearing was closed at 7:31 p.m.

Fahey made a motion to **approve and issue Resolution #23-07** incorporating the findings of fact and staff recommendations in approving the Preliminary Plat of Hilk Acres. Hoese seconded the motion for approval. Chairman Wakefield called for a vote on the motion for recommending approval of the request to the County Board. All voted aye. Motion carried.

File #PZ20230014 – Mathiowetz Construction – Chairman Wakefield called the public hearing to order at 7:21 p.m. to consider an Interim Use Permit request by Dale Schweiss, representing Mathiowetz Construction. The purpose of the public hearing was to consider a request for a Land Reclamation/Filling project pursuant to Chapter 152 of the County Code. The property is located in Section 6 of Watertown Township.

The following were present: Greg Huiras, Gary Engelsman, Dan Scherman, Carolyn Scherman

The following items were entered into the record:

Exhibit A – Legal Description

Exhibit B – Proof of Publication of the Hearing Notice

Exhibit C – Proof of Mailing of the Hearing Notice

Exhibit D – Site Plan

Exhibit E – Letter from the applicant dated March 6, 2023

Exhibit F – Staff Report addressed to the Planning Commission and Watertown Township dated April 10, 2023, and all attachments.

Hart stated Mathiowetz Construction has secured the contract with Carver County to realign the intersection of Hwy 25 and County Rd 20 located west of the city of Watertown. The reconstruction would upgrade the intersection to current standards and improve sightlines and traffic flow. The project would involve removal of a large amount of soil from the project area and approximately 30,000 cubic yards of clean uncontaminated material would be deposited onto a nearby 72.50-acre property owned by Brian Weege. The fill would be placed on land that is currently tillable farmland and pasture. There are no known tiles or utility easements in the proposed project area. Hart used an aerial photo to indicate the areas of disturbance on the property and also noted the benefit of using this parcel to reduce the distance of the truck traffic and hauling route during the road reconstruction. Mr. Weege is interested in using the fill material to reduce some areas of steep slopes on his property. The project narrative details efforts to minimize stormwater runoff and provide for temporary sediment basins. A Carver County Water Management Organization permit is required, and Stormwater Management standards would need to be met for the reclamation of all disturbed areas. Mathiowetz Construction has submitted information for the erosion control and stormwater permits. A temporary access east of the farmstead will be used by the trucks so they do not have to travel outside of the construction zone. A temporary access permit will be required from Carver County Public Works. Upon completion of the road project, the farmland will be restored to tillable farmland and pasture with finished slopes more gradual than the current topography. All of the disturbed farmland areas would be planted with a cover crop of oats in 2023. Watertown Town Board reviewed the request and recommended approval during their April 3, 2023, meeting with the following comment, “Excess/muck to be place on Brian Weege’s adjoining property, not to be hauled on Twp road. Request approved per Twp. Bd. with the above provision.” Hart read the proposed conditions for consideration if the request is approved. If the Planning Commission would recommend denial of the request, the reasons supporting denial would need to be stated.

Greg Huiras, representing Mathiowetz Construction, stated he agrees with all of the conditions. He stated the project is a Carver County road project which will begin June 7th and should be paved and completed by August 20, 2023.

Scott Hoese, speaking as Watertown Township supervisor, stated the Township had no issues with the project. Initially, there was talk about having trucks driving on a township road, but that was resolved with the temporary road across the landowner’s property.

A motion was made by Hoese to close the public hearing. The motion was seconded by Grazzini. Chairman Wakefield called for a vote on the motion. All voted aye. Motion carried. The public hearing was closed at 7:41 p.m.

Hoese made a motion to **approve and issue Resolution #23-08** incorporating the findings of fact and staff recommendations in approving the Interim Use Permit for Land Reclamation/Filling. Kerber seconded the motion for approval.

Steinhagen stated he has inspected work completed by Mathiowetz Construction at other locations and they have always been diligent with their erosion control and he feels confident about this project from their history how they have done work in the past.

Chairman Wakefield called for a vote on the motion. All voted aye. Motion carried.

Adjournment

A motion was made by Hoese and seconded by Grazzini to adjourn the meeting. All voted aye. Motion carried. The meeting was adjourned at 7:42 p.m.

COUNTY OF CARVER
PUBLIC SERVICES DIVISION
Department of Land Management

May 8, 2023

TO: Carver County Board of Adjustment & San Francisco Town Board

FROM: The Land Management Department

SUBJECT: Application for a Conditional Use Permit (Public Equestrian Facility)

FILE #: PZ20230022

APPLICANT: Mitchell Jamison

OWNERS: Mitchell Jamison, Madison Nelson, Karen King

SITE ADDRESS: 17580 County Rd 40 Carver, MN 55315

VARIANCE TYPE: Public Equestrian Facility

PURSUANT TO: Carver County Code Section 152.079 (C)(5)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 08-823-0010

BACKGROUND:

1. Mr. & Mrs. Jamison live at the subject property, and along with Ms. King own an approximate 16.27-acre parcel located in the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section 17, San Francisco Township. The property is improved with a single-family dwelling, two accessory structures, several agricultural buildings and outdoor riding arenas. A sizable portion of the parcel is considered pasture. The property is located within the Residential Cluster Zoning District (Molnar Addition, platted in 1998), partially located within the Shoreland Overlay District (Johnson Lake), and the Carver County Water Management Organization (CCWMO) - Bevens Creek Watershed.
2. The current owners recently purchased the property (May 2021) on which an established, though unpermitted, public equestrian facility was in operation. In 2019, after County staff became aware of the zoning code and feedlot ordinance compliance issues on the property, the previous owner was sent an enforcement letter. That owner did not bring the property into compliance. During the sale to the current owners, the previous owner had presented the horse boarding operation as "approved by the County."
3. The applicant is requesting a Conditional Use Permit to operate a commercial equestrian boarding facility that would accommodate up to twenty-five horses. The property is an agricultural parcel in the Residential Cluster District where the approving CUP #9856 prohibited all CUPs on the agricultural parcel except for CUPs related to the use of existing agricultural structures for storage. Therefore, Mr. Jamison applied for and received a variance (V-#PZ20230011) to allow the possibility of a public horse boarding facility on the property.
4. The applicant is requesting a Conditional Use Permit (CUP) pursuant to Section 152.079 (C)(5) of the Carver County Zoning Code, which reads as follows:

§ 152.079 CONDITIONAL USES—ACTIVITIES CENTERED AROUND A HOME OR A HOME/FARM COMBINATION.

(A) Minimum criteria for issuance of permit:

- (1) Minimum five-acre lot size; unless another size is specified under a particular provision;
- (2) Sewage can be managed in accordance with Chapter 52 of this code of ordinances;
- (3) Land is not subject to the land use restrictions of an AG preserve covenant;

- (4) The activity shall be located on a hard surfaced (blacktop or concrete) road unless written approval for location on a township road is given by the affected township or townships. The town board may condition its approval of access to a gravel road on agreements with the applicant regarding dust control, maintenance, or similar issues. The terms of the agreement shall be such that the agreement is in force so long as the permit is in effect;
- (5) There is a single-family home on the parcel occupied as a homestead by a principal of the activity; or a single-family home will be constructed or homesteaded before the CUP for the activity is issued;
- (6) The scale and operational characteristics of the proposed activity shall be such that it can be operated on the proposed site and within the current levels of support services and infrastructure. Activities that will have service needs—traffic capacity or roads, waste disposal or management, fire or police protection, sewage disposal—that will exceed those available in the area should locate in municipalities where the services are available.

(B) Minimum conditions:

- (1) Permit shall be subject to administrative review or compliance review as set by the permit. A change in ownership, operations or operator shall be cause for the permit to be reviewed to determine whether an application for an amendment or similar consideration is necessary.
- (2) The activity must operate in conformance with the approved site plan and operational plan and other provisions of this chapter. The operational plan and site plan shall become part of the permit.
- (3) Outside storage is prohibited unless the storage area is adequately screened from nearby roads and residences.
- (4) The operational plan and site plan shall become part of the permit.
- (5) The applicant must submit a copy of workers' compensation insurance or sign an affidavit stating that he or she will not have any employees.
- (6) All buildings utilized by the operation must meet the State Building Code.

(C) Activities.

(5) Equestrian facilities

- (a) This subsection is intended to provide for equestrian-related facilities, such as, a riding academy, stable, personal riding arena or other similar use.
- (b) The use must be located on a minimum of ten acres. The number of animal units permitted will be regulated by the permit.
- (c) A facility having ten or more horses shall be required to obtain a feedlot certificate of compliance or as administered through the feedlot regulations.
- (d) A facility having nine or fewer horses shall provide evidence of acceptable manure management.
- (e) Permits involving personal riding arenas are exempt from the prohibition on permit issuance on AG preserve land provided the approved operation is accessory to the residence and there will be no commercial boarding, training or other use for pay or similar remuneration.

STAFF ANALYSIS:

1. The owners purchased the property to reside in the existing residence and utilize the property for horse boarding and other equine purposes. The property was purchased with existing feedlot components and horse boarding facilities that currently exist on the property. The site plan (dated May 8, 2023) shows the current layout of commercial buildings, feedlot components (lean-tos), pastures, and customer parking area on the property. Mr. Jamison has not erected any new structures on the property and does not intend to in the future.
2. The submitted narrative (dated April 20, 2023) describes the horse boarding operation. The current operation (Burly Maple Stables) consists of 15 horses and mules of which the applicant is currently boarding 10 horses on site. The hours of operation are "sunrise-sunset" in summer and "sunrise-7:00PM" in winter. Emergency visits may occur outside of the regular hours of operation. Mr. Jamison reports that some days there are no visitors to the horse boarding facility; however, there is an average maximum of four vehicle trips per day, mostly from two clients who live in the area. There is one dedicated work vehicle (a tractor), and the applicant and his wife are the sole employees of the operation.

3. In the submitted narrative (dated March 20, 2023) Mr. Jamison states that the owners have “made substantial financial investments in order to operate this facility to date.” He notes that prior to the property purchase they visited the property and witnessed a horse boarding business with 26 horses. He states that the property buyers ‘were initially misled by the sellers of this property during the property transfer process. The sellers advertised this property as ‘County Approved’, ‘Zoned for up to 26 horses’, ‘Start your own horse boarding business here’, and ‘We were unaware that this was even an issue.’
4. The previous owner was aware that the horse boarding without a CUP was an issue. After receiving a report in October 2019 about potential public equestrian activity at the property without proper land use and feedlot permitting, Land Management sent an enforcement letter to the former owner alerting him to the perceived zoning code and feedlot ordinance violations. The previous owner never corrected the violations.
5. Jacob McLain, Senior Environmentalist with Carver County Environmental Services, reviewed the proposal and noted that the Subsurface Septic Treatment System (SSTS) was recertified in September 2020; therefore, the system is compliant. The applicant reports that visitors for the horse boarding operation rarely use the house bathroom while at the property. Mr. McLain indicated in an email (dated March 14, 2023) using the house bathroom would be acceptable.
6. Matt Steele, Carver County Feedlot Officer, reviewed the variance request. In a document attached to an email (dated May 3, 2023) he offered comments on the current Feedlot Ordinance permitting and horse boarding facilities:
 - *The feedlot operation consists of 15 horses/mules (15 animal units) and the applicant is currently boarding 10 of those animals. Livestock utilize a 1,200 square foot barn with eight 9' x 11' stalls, partial confinement barns, paddock areas (open lots), and pasture ground. There is also an outdoor riding arena for training and rider lessons/consultations.*
 - *The feedlot was registered for 15 horses (animal units) on March 17, 2023, and registration information has been updated to accurately reflect the change in ownership and operation. The site was previously registered for five slaughter steer/stock cow and two horses (7 animal units) on January 25, 2010.*
7. After having reviewed the submitted CUP materials, Jack Johansen, Transportation Planner with Carver County Public Works in an email (dated May 3, 2023) stated: “As a condition of approval of the Conditional Use Permit, there is to be a 25-foot turning radius at the access of the site to accommodate horse trailers that may enter the site. Please contact Traffic Engineer Whitney Schroeder at wschroeder@co.carver.mn.us.”
8. The San Francisco Town Board reviewed and recommended approval of the request at their March 20, 2023, Town Board meeting without any additional comments or conditions.

BOARD CONSIDERATION:

If the Planning Commission recommends approval of the Conditional Use Permit application for a Public Equestrian Facility on the subject parcel, the following conditions should be considered part of the permit:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The Public Equestrian Facility shall operate in accordance with the operational plan (dated: April 20, 2023) and site plan (dated: March 9, 2023). These plans shall be attached to and become part of this permit. This Equestrian Facility request allows for up to a total of 25 horses, and the use of the existing barns as part of the activity. Changes in the use of existing structures or the construction of new buildings or any plans to enlarge the facility in the future, would require the applicant to apply and receive a new Conditional Use Permit.

3. The existing structure(s), not utilized for the business, shall be used only by the occupant(s) of the residence and/or property owner for agriculture, personal storage, hobbies, personal recreation and entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance.
4. The facility would continue to operate year-round, sunrise to sunset during the summer season and sunrise to 7PM during winter, and otherwise only in the case of a veterinary emergency. Changes to the months, days and/or hours of operation would require the submittal of a new CUP application.
5. Any Special Events or “public activities” taking place on the property must be reviewed and approved by the Land Management Department prior to commencing the activities.
6. Any grading and/or filling activity on the property shall be completed in accordance with the Carver County Water Management Organization (CCWMO) and the Wetland Conservation Act (WCA), if applicable. Any site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
7. The Permittee shall comply with the road authority’s (Carver County Public Works) access requirements, improvements and/or standards, if any. Parking along any County right-of-way shall be prohibited.
8. Permittee shall submit Certificate of Workers’ Compensation Insurance to the Land Management Department annually when there are additional employees beyond the owner/operator. The insurance shall be maintained for the duration of the CUP.
9. The Permittee shall comply with all conditions of Variance #PZ20230011, the variance issued by the Board of Adjustment that allowed a Public Equestrian facility on an agricultural parcel in the Residential Cluster zoning district.
10. The permittee shall contact the County Feedlot Officer to schedule a compliance inspection by June 5, 2023, and operate the facility in full compliance with MPCA Feedlot Rules and the Carver County Feedlot Management Ordinance.

OR

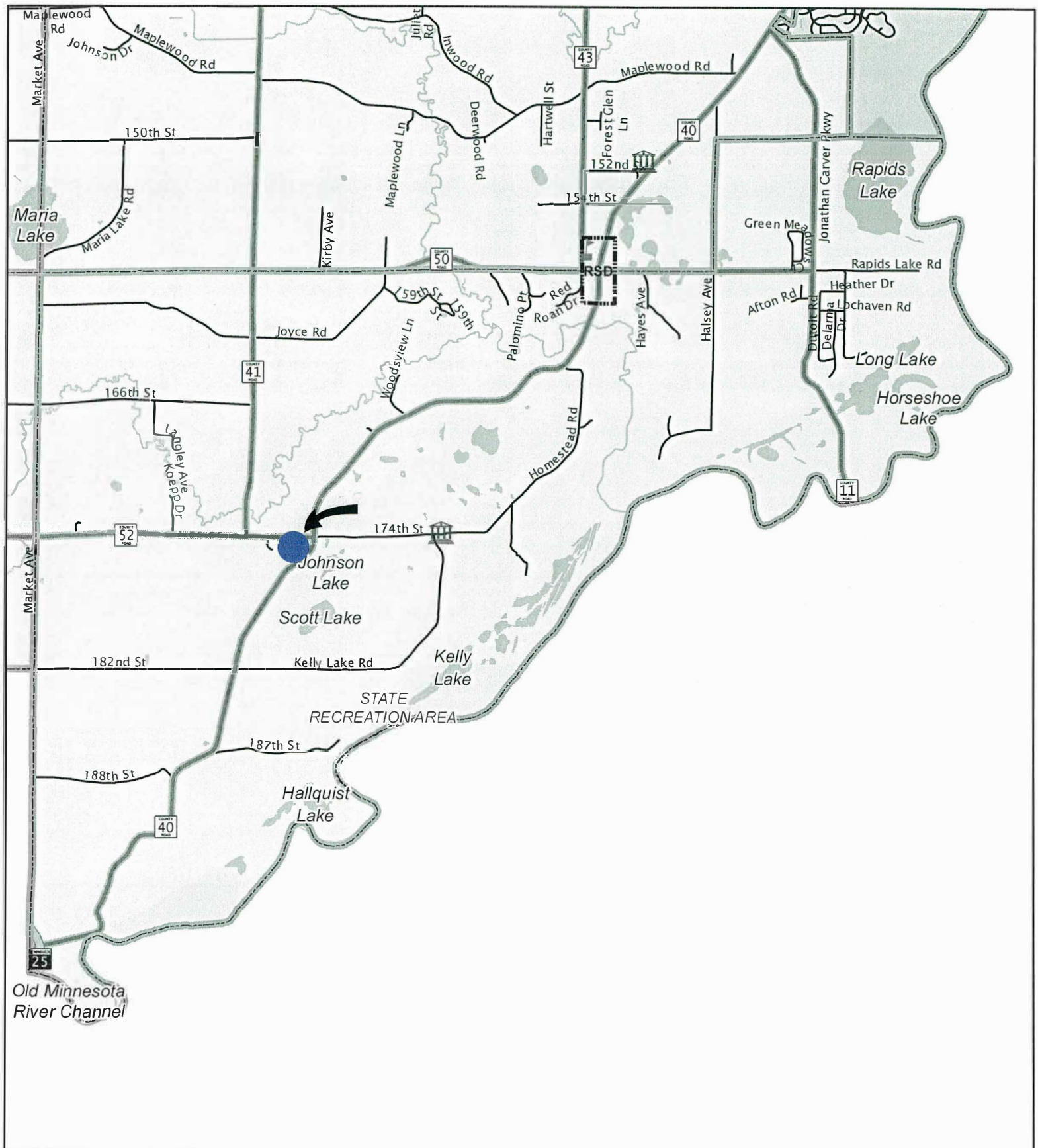
If the Planning Commission recommends denial of the permit application, the deficiencies found in Section 152.251 (Required Findings) of the Carver County Zoning Code, should be referenced, as follows:

§ 152.251 REQUIRED FINDINGS.

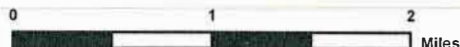
An order for the issuance of a CUP or IUP can be adopted only if all of the following are found as fact. Any conditions imposed by the permit or actions required as part of the order shall be considered in making findings:

- (A) The conditional or interim use is permitted as a permitted conditional or interim use within the zoning district, and meets all requirements of this chapter and any other county, regional, state, or federal laws, ordinances, rules or regulations.
- (B) The conditional or interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
- (C) The establishment of a conditional or interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
- (D) The effects of the proposed use will not be detrimental to the health, safety and welfare of Carver County or to the occupants of the immediate neighborhood.
- (E) That adequate utilities, access roads, drainage and other facilities have been or are being provided.
- (F) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use if these measures are applicable.
- (G) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance if these measures are applicable.
- (H) The use or development conforms to the County Comprehensive Plan.
- (I) The use or development is compatible with the land uses in the neighborhood.
- (J) A public hearing was held pursuant to § 152.285 and M.S. § 394.26, as it may be amended from time to time

SAN FRANCISCO TOWNSHIP



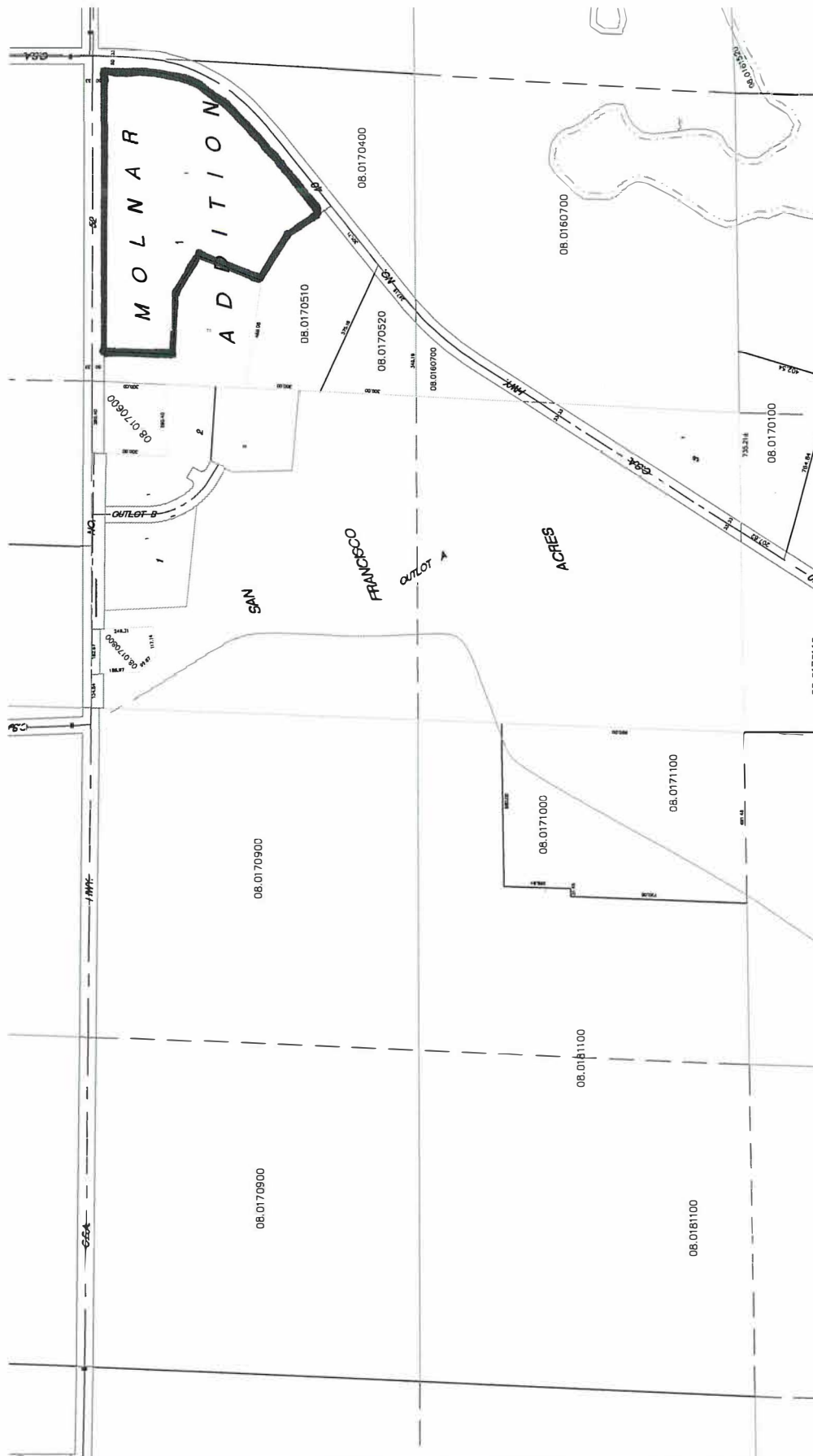
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Map Created by Carver County GIS

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FOR LEGAL PURPOSES, THE COUNTY AND ITS
SOURCES HAVE BEEN CHECKED AND FOUND
TO BE CORRECT.

N 1/2 SEC. 17, T.114, R.24



April 20th, 2023

Dear Planning Commission,

My name is Mitchell Jamison. My wife, Maddie, and I are seeking a Conditional Use Permit for a Public Equestrian Facility at the property we own and homestead at 17580 County Rd 40 in San Francisco Township.

The overall description of our operation is as follows:

We provide a valuable service to the local community through over 15 years continuous experience in the Horse industry. We offer Pasture and Stall Board options and a variety of care levels based on our clients' needs. Once the pasture has been through remediation, the property could easily accommodate 25 horses effectively and efficiently. Our current model will easily accommodate 20 horses. Currently, there are 15 horses/mules on site. 5 of those are our own private horses/mules. 10 of those are owned by local clients that all live within 45 minutes of the property. We are currently in compliance with all Feedlot Regulations and have an Up-To-Date Feedlot Registration.

On average, 0-2 vehicles visit the property per day. Almost all of our clients visit once a week at most with the exception of 2 clients that live just down the road who visit up to twice a week. Peak activity times include weekdays after the evening rush hour and weekend days throughout. On average, 4 "trips per day(or 2 vehicles arriving and then leaving)" maximum.

Our hours of operation are Sunrise-Sunset during summer season. Hours in winter season are Sunrise-7:00pm. Only approved emergency visits are allowed outside those times.

I, Mitchell Jamison, am the sole employee. My wife is the only family member who would regularly work on the property. Our children will help us in the future.

We own 3 personal vehicles, a garden tractor, a car and a truck. We own 1 work vehicle, 1973 Oliver 1655 tractor.

Materials stored on site include Sand, Wood Shavings, Grass Hay, Alfalfa Hay, Grass/Alfalfa Mix Hay, Lumber and Metal working Materials for repairs around the property. All of these materials are stored in the Tool Shop/Hay Storage Barn.

Our water comes from an on-site well. Sewage disposal is through a mound system. Waste management provided by Suburban Waste Services.

Visitors are required to park in the designated “lot” to the West of the Driveway. This “lot” has a capacity for 10 cars parked simultaneously but is greatly oversized so we can be sure to not have any vehicle accidents on the property.

We offer multiple services to our clients including boarding, feeding, water, training and rider lessons/consultations. Through my many years of experience working horses under saddle, I've amassed a great deal of knowledge. My goal is to offer myself as a resource to this community and provide service that many of my clients have openly expressed is missing locally. 1 of my clients has moved her 1 horse and 1 mule through all 7 of the local boarding facilities including this facility prior to Maddie and I taking ownership. This client has expressed that no matter where she moved her horses, the “Horse Knowledge” of the facility operators just wasn't up to par. Since being with us for over a year now, she consistently raves about how our practices have improved the lives and wellbeing of her two rescued animals.

The buildings we use for the operation include a 1,200sqft Horse Barn, 480sqft Tack Barn and 1,600sqft Tool Shop/Hay Storage Barn.

The horse barn is split up into eight 9'x11' stall spaces. One stall space is left open to serve as a feed organization area and some wall storage for saddles. The other 7 stall spaces are gated off for use as stalls, but I keep 1 vacant for emergencies and also some hay storage for immediate use in the barn itself.

The tack barn is split into thirds with the center room acting as storage for my clients to keep their personal, horse related items. The NW room acts as overflow hay storage with the SE room acting as my own personal horse related storage.

The Tool Shop/Hay Storage Barn is split into thirds with the NW room storing building/repair materials, the center room storing tools and the SE room storing hay and some overflow personal items.

We do not plan to construct new buildings or add square footage to any buildings on site. The current building layout is perfectly fit for what we do here.

We have made substantial financial investments in order to operate this facility to date. We have purchased 2 tractors and done some improvements to the buildings to be able to operate much more efficiently.

We would also like to point out that the buildings here were already standing and in use for decades before we arrived. The owners directly preceding us had 26 horses on site running their boarding business while we were being shown the property for purchase. Prior to them, all of our neighbors say that cattle and pigs roamed this land. I can attest to that given all of the old hog panel fencing I've dug up around the perimeter of the property. The property is very clearly set up for agricultural use. Had we known it was not zoned properly, we would not have purchased the property.

Our goal is to rejuvenate this piece of land with all its facilities and utilize it's features to optimize the benefits it can provide to our family and the local community.

Thank you for your consideration of this Conditional Use Permit request.

X _____

Mitchell Jamison

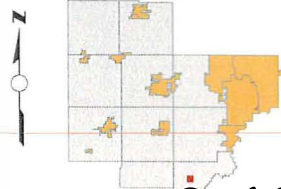
Owner/Operator of Burly Maple Stable

JAMISON - PUBLIC EQUINE BOARDING FACILITY



Date: 5/8/2023

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Township Presentation & Recommendation Form

PARCEL # <u>08-823-0010</u>	Permit # <u>PZ20730022</u>
Owner's Name: <u>Mitchell Janice</u>	Owner's Mailing Address: <u>17580 County Rd 40</u>
City: <u>Carver</u>	Owner State: <u>MN</u> Owner Zip: <u>55315</u>
Applicant (if other than owner): 	Site Address: <u>17580 CR 40 Carver, MN 55315</u>

Type of Request: ☒ CUP ☐ IUP ☐ Preliminary Plat ☐ Final Plat ☐ Variance ☐ Appeal
Description of Request: <u>Conditional Use Permit to operate Public Equestrian Facility</u>
Date of County Public Hearing: <u>5/16/23</u> Date of Township Meeting: <u>03/20/23</u>

Actions:

Township Action Taken:

- ☒ Recommends approval and use of the Township Road (if applicable) with the following comments:
- ☐ Recommends denial for the following reasons:
- ☐ No recommendation, but will comment on the request at the Planning Commission or Board of Adjustment hearing:

****Important:** I understand that I must appear at the Town Board meeting to present my request and obtain their recommendation prior to appearing before the County Planning Commission or Board of Adjustment.

Signature of Applicant	Date <u>4/20/2023</u>
Signature of Township Official	Date <u>4/20/2023</u>

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 08-823-0010

File# PZ20230022

APPLICANT: Mitchell C Jamison

**OWNERS: Madison Marie Nelson, Karen Jean King
& Mitchell Jamison**

*** * * * ***

Lot 1, Block 1, Molnar Addition, Carver County, Minnesota

COUNTY OF CARVER
LAND & WATER SERVICES DIVISION
Department of Land Management

May 8, 2023

TO: Carver County Planning Commission & Dahlgren Town Board

FROM: The Land Management Department

SUBJECT: Application for a Conditional Use Permit (Recreational Large-Scale Activity)

FILE #: PZ20230020
APPLICANT: Matt Dunn
OWNER: SSP Holdings LP
SITE ADDRESS: 7410 Highway 212 Chaska, MN 55318
PERMIT TYPE: Large Scale Activity (Recreational)
PURSUANT TO: County Code, Chapter 152, Section 152.080 (C)(6)
LEGAL DESCRIPTION: See attached Exhibit "A"
PARCEL #: 04-009-0600

STAFF ANALYSIS:

1. SSP Holdings LP, owns an approximate 190-acre parcel, located in the North Half (N½) and South Half (S½) of Section 9, Dahlgren Township. The subject property is located on the northerly side of Highway 212 and the westerly side of Mellgren Lane. The property consists of agricultural production land, an apple orchard, wooded acres, Hwy 212 corridor, and a seasonal commercial business, Scream Town (Conditional Use Permit #PZ20080001). The site is located in the Agriculture Zoning District and the Carver County Water Management Organization (CCWMO) - Carver Creek watershed.
2. Operating at the same site since 2008, the applicant Matt Dunn is requesting approval to expand the seasonal attraction Scream Town's days of operation, operating hours, and operational area. Also, this Conditional Use Permit (CUP) application, which would amend the current CUP (#PZ20080001) requests to remove the requirement to have two Carver County Sheriff's Deputies perform traffic control, as well as increase attendance from the 600 annual average daily patron limit, to a limit of 2,000 people at any one time.
3. The 2040 Comprehensive Plan provides for "Large-Scale Activities with Unique Land or Location Needs" (LU-21) as potential land uses. The application by Matt Dunn for a Conditional Use Permit is pursuant to Section 152.080 of the Zoning Code, which reads as follows:

§ 152.080 CONDITIONAL USES—LARGE SCALE ACTIVITIES WITH UNIQUE LAND OR LOCATION NEEDS.

(A) Minimum criteria for issuance.

- (1) The activity conforms to all other county ordinances, state, and federal regulations.
- (2) Minimum five-acre lot size, unless another size is specified under a particular provision.
- (3) Sewage can be managed in accordance with Chapter 52 of this code of ordinances. The county may require design by a registered engineer.
- (4) The activity shall be located on a hard surfaced (blacktop or concrete) road unless specific approval for location on a township road is given by the affected township or townships. The town board may condition its approval

of access to a gravel road on agreements with the applicant regarding dust control, maintenance, or similar issues. The terms of the agreement shall be such that the agreement is in force so long as the permit is in effect.

- (5) The activity is of a scale that the demand for support services such as sewer, water, police, fire protection, emergency equipment access, roads or streets, can be accommodated within the context of the service levels available in the commercial agricultural area.
- (6) Land is not subject to the land use restrictions of an AG preserve covenant.
- (7) The operational characteristics of the proposed activity shall be such that it can be operated on the proposed site and within the current levels of support services and infrastructure. Activities that will have service needs—traffic capacity or roads, waste disposal or management, fire or police protection, sewage disposal—that will exceed those available in the area should locate in municipalities where the services are available.

(B) Minimum conditions.

- (1) Permit shall be subject to administrative review or compliance review as set by the permit.
- (2) The operational plan and site plan shall become part of the permit.
- (3) The activity must operate in conformance with the approved site plan and operational plan and other provisions of this chapter. The site plan and operational plan shall become part of the permit.
- (4) The applicant must submit a copy of workers compensation insurance or sign an affidavit stating that he or she will not have any employees.
- (5) All buildings used in the operation must meet the State Building Code.

(C) Activities.

- (6) Recreational, educational, institutional facilities or activities that require a location in a rural area because of a need for seclusion or a natural setting or a large area of land or activities conducted on a permanent, seasonal or scheduled basis subject to the following criteria:
 - (a) No more than 20% of the land utilized for the activity, with the exception of agri-tourism, shall be designated as prime agricultural land under till, as illustrated by the Carver County geographic information systems (GIS) mapping;
 - (b) The road authority will grant an access permit;
 - (c) A certificate of insurance and/or a performance surety may be required;
 - (d) A stipulation is made in the permit as to the number of persons to be using the facility at any one time;
 - (e) Any type of special event that will attract or involve more than the number of people stipulated in subsection (6)(d) above shall require approval of the County Board.

Ord. 47, passed 7-23-02; Am. Ord. 58-2007, passed 3-27-07; Am. Ord. 70-2010, passed 1-25-11; Am. Ord. 80-2015, passed 6-16-15; Am. Ord. 97-2021, passed 7-20-21)

§ 152.036 ACCESS REQUIREMENTS.

Relation to road authority. Nothing in this chapter shall abrogate the ability of a road authority to approve, deny, or require modification of an access, require a permit for an access, develop and impose standards and conditions for an access. Approval by the Department of an access pursuant to this chapter shall not constitute approval by the road authority nor shall approval by the Department require that the road authority approve the access.

4. The current CUP (#PZ20080001) has an annual average of 600 patrons each day the operation is open to the public. The established hours of operation are 5:30PM to 11:00PM Friday, Saturday, and Sunday from the last full weekend in September to the first full weekend in November, and also including the Wednesday and Thursday of MEA weekend. (In 2022 this amounted to 23 days.) “To reduce the risk of accidents on site and on Highway 212,” two County Sheriff’s Deputies are required for traffic control, as well as warning signage and lights as required by the road authority or law enforcement authority. The permit also requires compliance with other agency (MNDOT, SWCD, Dept. of Health, etc.) regulations, minimization of dust and sediment tracking onto Highway 212, liability insurance coverage, solid waste reduction, and other measures to mitigate impacts on surrounding properties and public infrastructure.

5. With an operation area of approximately 35 acres (i.e. woods, courtyard, access road, and parking), Scream Town employs a staff of about 150 during its operation, about 90 staff members per night. From year-to-year sets, scenes, and maze pathways may be changed. Scream Town obtains temporary structure building permits for the attractions as needed.
6. The applicant has provided a description of Scream Town activities that take place on the site. Scream Town is comprised of a haunted corn maze, other themed mazes, “small sheds with different phobias,” a haunted woods walk, and a welcome area with concessions. The submitted site map (received: April 5, 2023) shows an approximate 1-acre expansion of the night trail area northwest of the current operational area. The new night trail area may have a temporary wooden maze, like other mazes on the site. The site plan shows about 2.3 acres of additional parking area southwest of the existing parking area. There is an additional internal access road proposed. The new road would skirt the property’s eastern boundary and allow vehicles to enter the existing parking area from the east, which would be an addition to the existing access on the south.
7. The submitted narrative (dated: April 17, 2023) proposes changes to the several conditions of the existing permit. The proposed changes to the existing CUP are:
 - *An increase from an average attendance of 600 per night, to a limit of 2,000 people at any one time.*
 - *An increase in time from 11PM to 12AM when warranted.*
 - *The addition of Thursdays as well as the Monday, or Tuesday of Halloween week as well as Halloween (hours limited to no later than 10PM).*
 - *To remove the requirement to have Deputies of any kind on Hwy 212 for traffic control.*
 - *The request for an additional road/ access point for incoming traffic and the ability to decorate/ theme this road with theatrical sets, lighting, and props. – see attached site map*
 - *Additional parking on the southwest corner of the property*
 - *Additional woods space/ Night trail at the Northwest portion of the hayride road.*
8. The submitted narrative offers rationales for the requested changes which include safety improvements with the Highway 212 reconstruction, 14 years of experience at the site, and that a reconfiguration of parking would improve efficiency and help during soggy conditions. The narrative notes that expansion of the operational area “does not impact wetlands, does not impact agricultural land and does not encroach closer and is well-separated from neighboring lands.” Regarding the increase in days and hours of operation, the applicant notes that historically the attraction has never been open to the public all the available days in the season and the additional operating time would provide flexibility in case of inclement weather, larger crowds, or unforeseen circumstances. The applicant indicates that since problems have not been observed at the event, Sheriff Deputy on-site is not warranted.
9. Pursuant to the Zoning Code, Chapter 152.080 (C)(6)(d) for a Recreational Large-Scale Activity, “a stipulation needs to be made in the permit as to that the number of persons to be using the facility at any one time.” The applicant has proposed that attendance be limited to 2,000 persons using the facility at one time.
10. The applicant proposes no change to the current vehicle access from Highway 212. However, the applicant does propose an additional access drive which would fork off the main access driveway to the north, as shown on the attached site plan (dated: April 5, 2023). The applicant states this new drive can ease traffic flow and provide an additional theatrical experience for visitors on their way to the parking areas. The applicant also shows additional parking area to improve circulation and vehicle maneuverability to reduce impact to the surrounding fields.
11. The Zoning Code requires that no more than 20% of the land utilized for the activities shall be designated as prime agricultural land under till, as illustrated by the Carver County Geographic Information Systems (GIS) Mapping. The operation area (i.e., woods, courtyard, and parking) consists of approximately 35 acres. The total amount of prime ag land consumed with seasonal parking consists of an approximate 6 acres, or about 17% of the property’s prime agricultural soils under till. When Scream Town is not operating, most of this acreage grows alfalfa.

12. The Carver County Water Management Organization (CCWMO) is in the process of reviewing the request and the proposed operational area with respect to the County Water Rules (Chapter 153), site stabilization requirements, and Best Management Practices (BMP's). The overall area of disturbance and the proposed operational area may trigger additional permit requirements by the CCWMO. If required, all CCWMO related permits and conditions shall be met prior to the issuance of any future building permits or beginning any excavation activity. There are wetlands on the property but would not be impacted by any site improvement proposed in this application.
- Recently, an access road for the hayrides near the western property line was expanded/improved. Stormwater runoff from the improvements shall not impact the neighboring property and is currently being reviewed as part of the CCWMO permitting process.
13. Carver County Soil and Water Conservation District (Carver SWCD) has been contacted regarding the applicant's proposal; however, no comments have been received at the writing of this report. The SWCD provides construction site review measures for CCWMO permitting.
14. The Carver County Sheriff, Jason Kamerud, has reviewed the proposal and in an email response (dated: June 13, 2022) provided the following statements:
- A. "The applicant asserts (on P2), "In addition, we have letters and documentation from Carver County deputies stating that they have not seen any problems at the event and that the operators do an outstanding job in keeping the event safe." If these letters do in fact exist, they were not written nor authorized by me, the elected Sheriff of Carver County. Therefore, they should not be deemed as carrying my endorsement nor to be reflective of the official position of the Carver County Sheriff's Office in this matter."
 - B. "The original (and current) CUP reads (in applicable part), "To reduce the risk of accidents on site and on Highway 212 the permittee shall contract a minimum of two (2) County Sheriff's Deputies for the duration of the event. The permittee shall also provide warning signage and lights as required by the road authority and/or sheriff's department and/or state patrol." The proposed change in highway design will likely lessen the need for traffic control at the entrance/exit of the site. If I understand it correctly, all traffic will enter while travelling westbound using a "right turn only lane" and exit going westbound only. If true, there is likely no need for staffed supplemental traffic control at US Hwy 212 and the entrance/exit. I will defer to highway/traffic engineers on this point, however. Traffic control onsite (i.e., parking) is purely a private business matter and not the responsibility of the Sheriff."
 - C. "There is no CUP requirement for sheriff's deputies for grounds patrol. The CUP requires sheriff's deputies for traffic control "to reduce the risk of accidents on Highway 212." The applicant has hired private security to manage onsite security matters. The numbers of onsite police calls for service have been manageable. I do not believe onsite police presence is required, assuming the applicant continues to provide reasonable security measures."
 - D. "If the Board requires law enforcement for traffic control along US Highway 212 or for onsite policing, I respectfully request the CUP reflect a requirement for "licensed peace officers having jurisdictional authority" versus "sheriff's deputies." Our office does not always have adequate resources to fulfill the demands of staffing the position. By allowing "licensed law enforcement," the applicant has the option to explore contracts with MN State Patrol or other authorized service providers in lieu of closing or violating the CUP due to our inability to fulfill the contract."
 - E. **Recommendation:** "No police services contract required, assuming highway construction is complete as detailed."
15. Minnesota Department of Transportation (MnDOT) is the road authority for trunk Highway 212. With the completion of work on Highway 212, there were no additional comments from MnDOT at this time. Any use of, or work within or affecting, MnDOT right of way would require a permit pursuant to the Permits Division. In previous years of operation, the applicant has been issued an access permit for the 20-23 days of operation.
16. Dahlgren Township Board reviewed and recommended approval of all of the CUP requests at their March 13, 2023, meeting, except the extension of operating hours to midnight when warranted. The Township Supervisors recommended approval of the removal of the car count and the guest capacity limits, recommended the County to decide if Deputy's need to be on site via the public hearing, and recommended approval of the expanded parking area and trail expansion. The Township Board did have concern about the expanding the hours of operation.

PLANNING COMMISSION CONSIDERATION:

- If the Planning Commission recommends approval of the Conditional Use Permit (CUP) application for a Recreational Large-Scale Activity, the previous CUP (#PZ20080001) would be terminated upon final approval (and recording) of the new CUP (#PZ20230020). Therefore, CUP #PZ20230020 would supersede any prior approvals. The following conditions should be attached to the permit:
1. The permit is subject to Compliance Review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
 2. Operations shall be substantially in accordance with the operational plan “applicant narrative” (dated: April 17, 2023), Site Plan and Map of Operation (received April 5, 2023). The hours of operation for patrons within the areas of attractions will be 5:30PM until 12:00AM during Thursday-Sunday from the last full weekend in September to the first full weekend of November including Monday, and Tuesday of Halloween week and Halloween. Days of operation also include the Wednesday and Thursday of MEA weekend.
 3. The permittee must maintain records of the number of tickets sold to enter the site each day of operation and provide a copy of this record to the Land Management Department at the end of each season or upon request. A maximum 2,000 persons shall be allowed to utilize the facility at any one time.
 4. All operational areas, structures, access roads, and parking areas shall maintain a 10-foot setback from property lines. The permittee shall survey and submit a certificate of survey to the County the western property line along the length of the newly expanded hayride road to ensure the 10-foot setback is maintained.
 5. To reduce the potential for dust, vegetation shall be preserved as much as possible. Dust control (calcium chloride or other similar substance) shall be utilized for dust control (annually).
 6. The permittee shall contract with a private security firm to provide on-site security in the operational area (i.e., night trails, night maze, courtyard, and parking areas). A copy of the contract agreement shall be provided to the Land Management Department prior to any public activities taking place on the property (annually).
 7. From dusk until the last patron vehicle leaves the site, temporary three-bulb portable lighting or other approved lighting measures shall illuminate the Highway 212 and site driveway intersection. The lighting must be turned off promptly after the last patron vehicle leaves. Lighting shall be approved by the road authority, if applicable.
 8. The Permittee shall obtain an appropriate access, signage and construction permits and/or approval(s) from MnDOT prior to any public activities taking place on the property. Any measures required by the appropriate road or zoning authority must be completed in accordance with MnDOT standards prior to public activities taking place on the property. The permittee shall also provide warning signage and lights as required by the road authority.
 9. Any grading and/or filling activity on the property shall be completed in accordance with the Carver County Water Management Organization (CCWMO) and the Wetland Conservation Act (WCA), if applicable. Any and all site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits. Measures shall be implemented to minimize tracking onto the Highway 212 and a sweeper shall be utilized within 12 hours of discovery of mud accumulation on Highway 212, if applicable.

10. The Permittee shall furnish a certificate of Insurance to the County providing coverage by an insurance company duly licensed by the State of Minnesota indicating that the Permittee has in force coverage for public liability, vehicle liability, loading and unloading, completed operations liability, explosion and collapse of underground operations liability, and bodily injury liability in the amount of at least \$2,000,000 for injury of any one person in any one occurrence. Property damage insurance coverage shall be in force with a minimum amount of at least \$1,000,000. Further, the Permittee shall furnish proof of workman's compensation coverage. Insurance certificate(s) described above shall carry an irrevocable notice to the County by the carrier 30 days prior to any change, modification, lapse, or cancellation of the policies required.
 11. All structures used in conjunction with the business including tents, facades, and the like, shall meet the applicable requirements of the Carver County Zoning Code and State Building Code. Any required building and septic permit(s) shall be applied for and issued prior to construction. Any future remodeling or construction shall be reviewed by the Zoning Administrator to determine if an amendment to the CUP is necessary. Any fences over seven feet in height require a building permit.
 12. Any structure(s), not utilized for the business, shall be used only by the occupant(s) of the property owner for agriculture, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by the County Zoning Code and shall meet State Building Code, if applicable.
 13. The permittee shall maintain a conforming Subsurface Sewage Treatment System (SSTS) pursuant to Chapter 52 of the Carver County Code to accommodate any restroom(s) and/or wastewater produced within any structure(s) utilized as part of the business operation, if applicable. Portable restrooms shall be maintained by a licensed company and a copy of the contract agreement shall be submitted annually to the Carver County Land Management Department.
 14. The permittee is responsible for obtaining and abiding by all appropriate permits from the Department of Health, Dept of Agriculture and all required food service and alcohol licenses and permits. The Permittee shall submit copies of all required permits and licenses to the Carver County Land Management Department (annually).
 15. The permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. Signage for the activity shall not exceed the provisions set forth in the Carver County Sign Ordinance of the Carver County Code.
 16. The permittee shall comply with all conditions of Chapter 50: Solid Waste Management of the Carver County Code of Ordinances pertaining to the storage and disposal of solid waste materials.
 17. The permittee is responsible for compliance with all Federal, State and Local rules, regulations, and permitting requirements.
- If the Planning Commission recommends denial of the permit application, the deficiencies found in Section 152.251 (Required Findings) of the Carver County Zoning Code, should be referenced, as follows:

§ 152.251 REQUIRED FINDINGS.

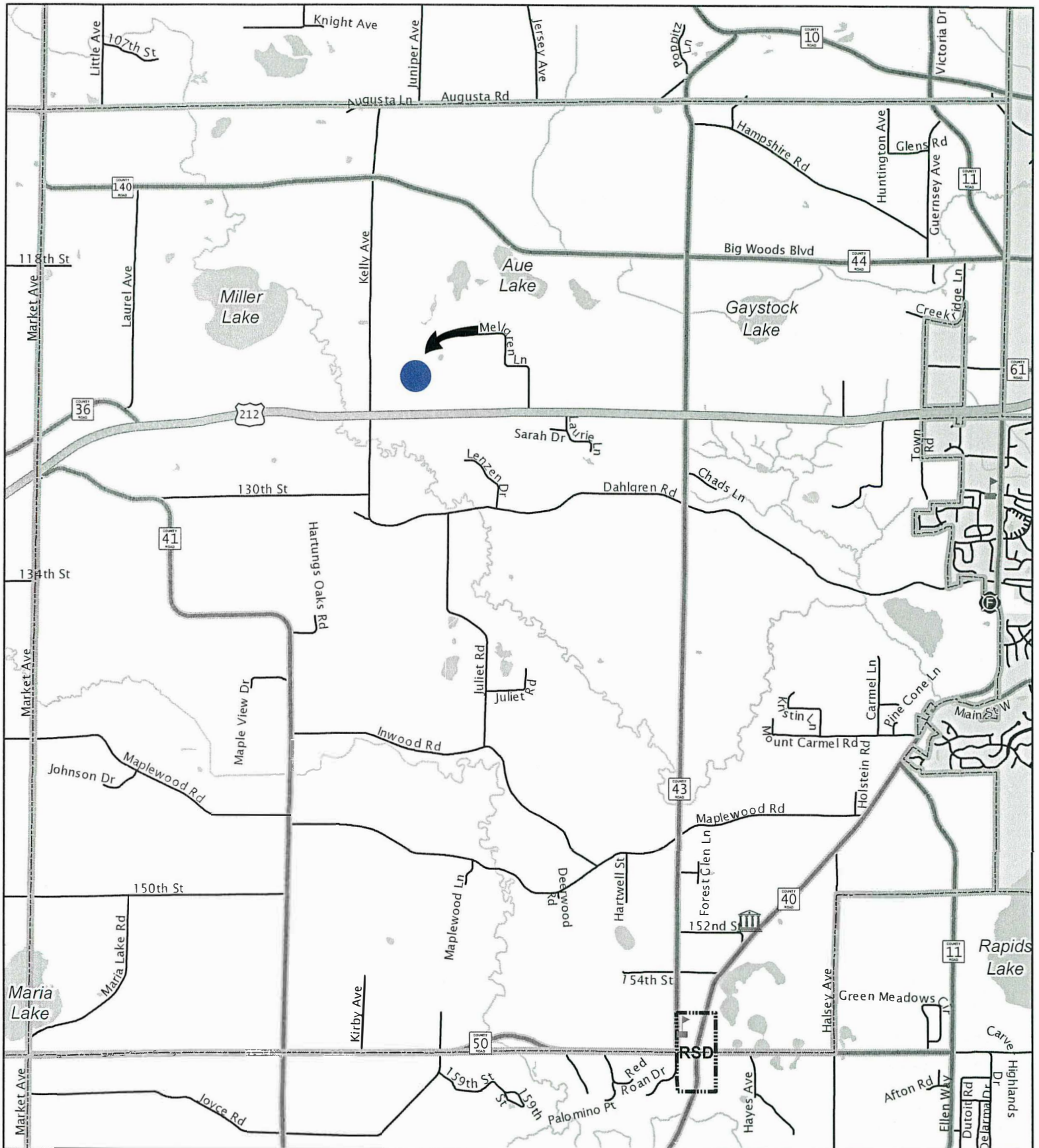
An order for the issuance of a CUP or IUP can be adopted only if all of the following are found as fact. Any conditions imposed by the permit or actions required as part of the order shall be considered in making findings:

- (A) The conditional or interim use is permitted as a permitted conditional or interim use within the zoning district, and meets all requirements of this chapter and any other county, regional, state, or federal laws, ordinances, rules or regulations.
- (B) The conditional or interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
- (C) The establishment of a conditional or interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

- (D) The effects of the proposed use will not be detrimental to the health, safety and welfare of Carver County or to the occupants of the immediate neighborhood.
- (E) That adequate utilities, access roads, drainage and other facilities have been or are being provided.
- (F) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use if these measures are applicable.
- (G) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance if these measures are applicable.
- (H) The use or development conforms to the County Comprehensive Plan.
- (I) The use or development is compatible with the land uses in the neighborhood.
- (J) A public hearing was held pursuant to § 152.285 and M.S. § 394.26, as it may be amended from time to time.

- If the current application fails, or it is withdrawn, the Scream Town CUP (#PZ20080001) would remain in full force and effect. The existing use (Scream Town) runs with the land, regardless of the property ownership, unless the operator violates the terms and conditions (and subsequent action is taken).

DAHLGREN TOWNSHIP

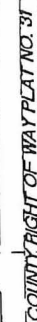


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DO NOT ASSUME RESPONSIBILITY FOR
INACCURACIES CONTAINED HEREIN.



CARVER COUNTY RIGHT OF WAY PLAT NO. 31

Narrative Scream Town May 2023

Changes to Existing Conditional Use Permit

The purpose for a revised permit is based on the new Highway 212 improvements accessing the Scream Town event, in addition to implementing operation improvements to better serve our guests and the community. Scream Town has been successfully operating since 2008. Through the years we have learned that we need to periodically adjust our business model in order to continue providing a family friendly event that draws people from miles away on a yearly basis. The proposed changes will not alter the current operations of our events, which will continue to operate in accordance with the existing permit, it is solely to clarify our operations and make minor improvements to our operation plan based on what we have learned throughout the years.

With the Highway 212 improvements and the safety measures it provides for the access of our event we believe that the following 7 changes to our current CUP are warranted for the reasons noted below.

1. An increase from an average attendance of 600 per night, to a limit of 2,000 people at any one time.
2. An increase in time from 11pm to 12am when warranted
3. The addition of Thursdays as well as the Monday, or Tuesday of Halloween week as well as Halloween (hours limited to no later than 10pm
4. To remove the requirement to have Deputies of any kind on Hwy 212 for traffic control.
5. The request for an additional road/ access point for incoming traffic and the ability to decorate/ theme this road with theatrical sets, lighting, and props.
– see attached site map
6. Additional parking on the southwest corner of the property
7. Additional woods space/ Night trail at the Northwest portion of the hayride road.

Reason for changes to specific conditions:

UNDERLINED = How the original permit read

ITALICS = How we are requesting the permit be amended

BOLD = Explanation

Condition 1 – Annual average of 600 patrons

This Large Scale Activity will be limited to an annual average of 600 patrons each day the operation is open to the public. The permittee must maintain records of the number of tickets sold to enter the site each day and provide a copy of this record to the Land and Water Services Division at the end of each season or upon request.

- a. This Large Scale Activity will be limited to an annual average of 2000 patrons at any one time each day the operation is open to the public. The permittee must maintain records of the number of tickets sold to enter the site each day and provide a copy of this record to the Land and Water Services Division at the end of each season or upon request.*
 - i. This detail was directly related to traffic flow on highway 212. Post highway expansion, this number is essentially irrelevant.**
 - ii. Listing a “high” value number does not mean the event will suddenly receive attendance of that number.**
 - iii. As the original version 2 reads, Scream Town could have 4,000 people on one night, and 4 on another night. It is an average number**
 - iv. The event has had a timed ticket system for 5 years and can precisely control the attendance at any one time.**
 - v. Dahlgreen Township Minutes – “Jeff Thompson, Dahlgren Township Chair, stated that he did go out to the event last year and stood on the property line off Mellgren Lane and he did not think there was excessive noise, he thought Highway 212 made more noise than the event. He also stated that he thought it was a well run event.” (He additionally stated that he attended on a very busy night and picked a night at random. There were a lot of cars and a lot of people)**

Condition 2 AND 3 – Hours of operation and days

Operations shall be substantially in accordance with the application letters, responses, supplemental information and the approved site plan. The hours of operation would be 5:30pm until 11pm during Friday and Saturday and Sunday from the last full weekend in September to the first full weekend in November and also the Wednesday and Thursday of MEA weekend each year.

b. Operations shall be substantially in accordance with the application letters, responses, supplemental information and the approved site plan. The hours of operation would be 5:30pm until 12am during Thursday, Friday and Saturday and Sunday from the last full weekend in September to the first full weekend in November and also the Wednesday and Thursday of MEA weekend each year. Also to include the Monday, or Tuesday of Halloween week, including Halloween, with hours of 5:30 to 10pm. Total number of days not to exceed 23

- i. Daylight Savings Time changed – more light. The even needs darkness.**
- ii. Having the ability to be open until midnight on 5 or 6 busy evenings will allow guests and staff to leave in a more safe manner.**
- iii. The goal - to be open only during the hours and days that works for an event of this nature as the calendar changes each season.**
- iv. Original permit count allowed for 21-23 days depending on how the calendar fell.**
- v. Dahlgren Township Minutes – “Jeff Thompson, Dahlgren Township Chair, stated that he did go out to the event last year and stood on the property line off Mellgren Lane and he did not think there was excessive noise, he thought Highway 212 made more noise than the event. He also stated that he thought it was a well run event.” (He additionally stated that he attended on a very busy night and picked a night at random. There were a lot of cars and a lot of people)**
- vi. Please also see the attached noise study that was conducted demonstrating that we are compliant with MN State noise regulations and show that the noise produced is compared to/ the equivalent of a babbling brook.**

Condition 4 – Deputies on Highway 212

To reduce the risk of accidents on site and on Highway 212 the permittee shall contract a minimum of two County Sherriff's Deputies for the duration of the event. The permittee shall also provide warning signage and lights as required by the road authority and/ or sheriff's department and/ or state patrol.

- c. Request: That this detail be stricken from the permit. Dahlgreen Township board voted AYE to this removal in 2022*
- i. This is also the emphatic request of Sherriff Kamerud.**
 - ii. As of Feb 17, 2023 in an official email, MNDOT concurs.**

Condition 5 – Additional road

The request for an additional road/ access point for incoming traffic, and the ability to decorate/ theme this road with theatrical sets, lighting, and props – see attached map

Condition 6 and 7 – Site plan change – Parking, Woods Trail

Trail:

Extend the event area to the northwest. The addition of the land does not expand the attractions but allows for more space to provide a more favorable experience, such as a longer walking trail. The expansion supports the event for the following reasons:

- Does not impact wetlands
- Does not impact agricultural land
- It does not encroach closer and is well separated from neighboring lands

Parking:

Extend the western parking area to the southwest. Over the years we have noticed that parking and traffic circulation can be improved with an extended

parking area so vehicles can more easily maneuver within the site and create less impact to the farm fields at the current parking area.

SCREAM TOWN OPERATION

Scream Town consists of 13 acres located at 7410 Highway 212. Our event consists of 8 different themed areas and has a staff of about 150 people during the season. Our themed areas include mazes, trails and hayrides where guests pass by different Halloween stages with decorations, animations, and live actors.

- Courtyard: The Courtyard is the gathering/waiting place for guests as well as a place to enjoy food and beverage. A warming tent is also provided for guests
- Corn Maze: The corn maze portion of the event consists of a "maze like" pattern with laser lights, Halloween alien themed decorations, and actors in costumes.
- Woods Walk: contains theatrical sets and decorations for guests to walk through.
- Hayride: is made up of a short-wooded trail where guests pass by 10 different Halloween/ nightmare esc stages with decorations, animations, and live actors. And then a wooded walk to follow.
- Time Challenge Fence Maze
- Zombie Themed Maze
- A circus themed maze
- A spooky Christmas themed maze
- Small sheds with different phobia's

Sets and scenes are often redressed and redecorated yearly and specific pathways may change within the permitted use area. Because our attractions/wooden mazes change from year to year we receive a temporary structure permit via Metro West Inspections. An on-site inspection is conducted yearly for compliance and safety.

Scream Town currently has about 100 staff per night (of the 150) consisting of actors, neighbors, family friends, former teachers, local farmers, volunteers, retired police officers, and security. Our actors and security are a diverse group that are independently contracted with and consist of primarily those that live in Carver County. We pride our self in our diverse

community of help, and welcome those with all talents, abilities, and skills. Several members of our talent have worked for us for the duration of our event, 15 years.

During days of operation 5-10 staff may arrive as early as 8am to prepare details for the show. Typically, the event is "turned on/ electrified" around 6:30pm and is "turned off" about 15-20 minutes after close time of that evening. The majority of staff, (approximately 90 - 100 people) such as actors, food vendors, and security arrive between 4:30pm and 6:30pm at an even pace. The vendors and actors are scheduled to be off the site between 11:00 pm and 11:30. Occasionally the management team will stay later to conclude final business such as accounting, next day business meeting, or end of night reports.

The days of operation are during Friday, Saturday and Sunday from the last full weekend in September to the first full weekend in November including the full week of Halloween, which is the last week in October starting on the last Sunday before Halloween, until Halloween, Oct 31 and also the Wednesday and Thursday of MEA weekend each year

Scream Town guests are provided several local vendors along with concession stands and portable bathroom facilities on site.

OWNER TESTIMONIAL

My name is Matt Dunn. I have been in the family entertainment and Halloween industry for 30 years. I met Sever Peterson in 2006 (age 23) when I called him at his family farm to hear more about his event Severs Corn Maze. We met soon after and I was astonished by his family friendly agra-tainment business he had created in Shakopee.

At that point in my life I had operated a night time Halloween event for two years "The Haunted Trail", but wished to grow it into something more. Previously to that I had operated a "home spook Halloween event" for 13 years at my parent's home which raised food for the food shelf. After meeting with Sever at his Corn Maze, he shared with me his desire to expand his family event later into the evening with something similar to what I had already been operating. We subsequently did that and began

the Scream Town portion of Severs Corn Maze, which operated in Shakopee for two years.

One day Sever told me about a property in Chaska he hoped to move the Corn Maze to within the next 3 years. He and I later visited that property and I expressed my interest to be there sooner than later, due to the fact it had a terrific atmosphere and a large amount of woodland which was not something that existed in Shakopee. We soon began that process of asking for permission to move the night-time activity of Severs Corn Maze, Scream Town, out of the property located at 7410 Highway 212.

Sever soon met with neighbors, township, and council members to explore this possibility. Sever and I met with John from the planning commission to work on details of our conditional use permit. In hindsight I would made many of the amendments we are asking for today, then.

Now 15 years later, I am proud of the business I have operated in Carver County and its community. And I look forward to continuing to contribute and do all I can to be a good neighbor.

Below are just a few ways the Scream Town event have made the community a better place.

- Injected thousands of dollars into local businesses like Storms Welding, Sticks Tavern, Cooling System Services, local farms, agriculture, retailers, and construction companies, helping generate revenue and more jobs.
- Driven traffic to restaurants, gas stations, and retailers. Some of whom credit Scream Town to saving their business.
- Created thousands of great entry level jobs for many that really need someone to give them a chance.
- Provided regular seasonal jobs to entire families, artists, theater folk, and local contractors.
- Provided a valuable venue/ resource for local search and rescue dog trainers who use these dogs in Carver County.
- Raised thousands of dollars for Meals on Wheel and collected hundreds of pounds of food for local food shelves.
- Provided a home to the arts. A creative outlet for many that are looking for a creative place and outlet to share their unique gifts.

April 17, 2023

- Provided a family friendly atmosphere where families and friends of all ages can spend time together in the great outdoors.
- Acted as a fundraiser for the local fire department
- Provided additional income to retired and off duty Carver County Police – to date well over \$170,000
- Provided thousands of dollars in fees for permits at Carver County

After 15 years in business, we have learned the trials and tribulations that go along with a seasonal business and how difficult it can be. The changes being requested are based on flexibility, safety and the unpredictable weather that comes with doing an outdoor event that is open for an extremely limited amount of time.

These amendments will help the event pivot in the event of rain, mud, snow, or other obstacles that may become apparent if the event has to close on one or more days. These amendments have no direct relation to building projects. Historically, many of the attractions/ exhibits at Scream Town have gotten smaller, and continues to be the trend for 2023.

Thank you for your kind and thoughtful consideration.

Sincerely,

Matt Dunn
Scream Town
612-518-0364

Scream Town Attendance 2022 - 19 days

	Guests	Cars
Sept 23	150	70
Sept 24	232	104
Sept 30	249	88
Oct 1	478	155
Oct 2	304	102
Oct 7	399	122
Oct 8	501	164
Oct 9	204	80
Oct 14	455	155
Oct 15	760	221
Oct 16	389	128
Oct 19	322	110
Oct 20	450	167
Oct 21	998	323
Oct 22	1,403	479
Oct 23	504	168
Oct 28	1,278	501
Oct 29	1,691	607
Oct 30	942	324

Total = 11,709

Highway Patrol Recommendations

Sheriff Kamerud recommendation 6/13/2023

(see attached letter for more details)

“Recommendation: No police services contract required, assuming highway construction is complete as detailed”

“I do not believe onsite police presence is required, assuming the applicant continues to provide reasonable security measures.”

“I will defer to highway/ traffic engineers on this point..”

MNDOT Recommendation:

(See attached)

“MNDOT will not require a sheriff on site. We will require a permit and a revised traffic control plan due to the alignment change.”

- **Buck Craig – Roadway Regulations Supervisor**

TRAFFIC CONTROL PLAN FOR SCREAMTOWN FALL FESTIVAL

OWNER/APPLICANT

Sever Peterson Farm
15900 Flying Cloud Dr., Eden Prairie, MN 55347, 952-837-1315

Contact:

Mitch Michaelson, 952-281-8182

TRAFFIC CONTROL PLAN FOR SCREAMTOWN FALL FESTIVAL

Screamtown is a fall festival event occurring in the evenings (5) weekends starting in September and ending in October. The total days the festival is open is approximately 19 (days).

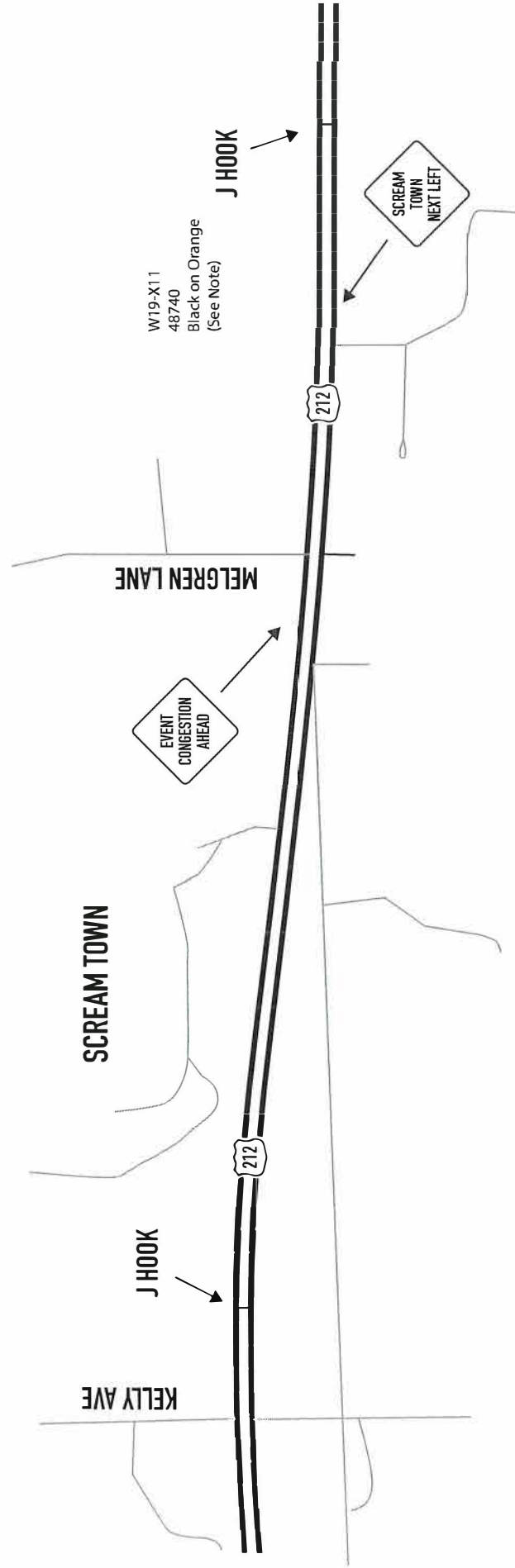
TRAFFIC OPERATIONS

A right turn lane was constructed in 2008 to accommodate the traffic into the site. The peak traffic exits the site in the evening. Since 2008, Carver County Sheriff Deputies reported no incidents.

To help in nighttime visibility, intersection lighting was added in 2009.

SIGNING NOTE

The Standard Signs Summary indicates the "Event Congestion Ahead" sign should be a black on yellow. Because the expected traffic is seasonal and intermittent, the suggested sign color is black on orange.



SCREAM TOWN SECURITY OUTLINE UPDATE/ ACTIVE SHOOTER **2023**

Below is the standard Emergency plan. Use this as a guideline.

FIRE EMERGENCY PLAN:

In the event of a fire:

- Staff members discovering a fire or smoke shall immediately notify Safety/Security Staff and or law enforcement.
- Upon sound of the fire alarm, or as instructed by the House Manager, the Lighting & Sound techs shall turn on the house lights, turn off scene and lighting power, turn off music and sound effects, and make announcements over the public address system as instructed.
- All Staff and Visitors shall evacuate the building via primary exit for their location.
- If the primary exit is blocked or unsafe, proceed to the nearest alternate exit.
- If smoke makes it difficult to breathe or see, get on your hands and knees and crawl to the nearest exit.
- Once out of the building, proceed to the nearest designated assembly area (whichever exit you go out of) and await further instructions.
- Staff and Visitor shall not re-enter the building until the "all clear" is given by the Fire Department.

Accountability Procedure

If possible to do so safely, the Lead Actor or Safety/Security Staff shall retrieve the cast assignment board and proceed to each assembly area and account for each staff member present in the building. The Lead Actor shall inform the FD of any Staff or Visitors not accounted for.

R.A.C.E.

The "RACE" method of fire response shall be followed in this order:

RESCUE

Rescue those in immediate danger.

ALARM

Notify others by word of mouth (radio) or by activating pull box.

CONFINE

If the fire is in an enclosed office or room, confine it by closing doors upon exiting.

EXTINGUISH

- -Attempt to extinguish the fire only if it is safe to do so.
- -Use the portable fire extinguishers only if you have been trained in their use.
- -Extinguishers are located near the exits. This permits you to proceed towards the exit, and return with an extinguisher when it is safe to do so.

-ALWAYS keep a clear path to the exit behind you.

-NEVER allow the fire to come between you and the exit.

P.A.S.S.

P.A.S.S. is an acronym for remembering the procedure for using a portable fire extinguisher.

- P= pull the pin and completely remove it from the extinguisher handle.
- A=aim the extinguisher nozzle towards the base of the flame.
- S=squeeze the handle to discharge extinguisher material.
- S=sweep the spray of extinguisher material back and forth across the base of the flames.

WEATHER EMERGENCY PLAN:

In the event of a tornado warning, or if a tornado is sighted:

- -The Lead Actor shall order an evacuation to the designated places of refuge.

- -All building occupants shall remain in the designated place of refuge until the "all clear" is given by the House Lead Actor.

MEDICAL EMERGENCY PLAN:

In the event of a medical emergency:

- -Staff/ actors discovering a medical emergency shall immediately notify the Lead Actor or Safety/Security Staff. If you determine the emergency to be life threatening, call 911 and then contact Matt Dunn, then contact your lead actor. 911 calls should be made for, but not limited to, people that pass out, broken bones, heart problems, severe puncture wounds, and asthma attacks.
- Lead Actor will make the phone/ radio call for assistance on site.
- -Persons unconscious or seriously injured should not be removed or repositioned.
- -Injured or ill persons who are ambulatory should be assisted to the front door to wait for outside assistance.

POWER FAILURE EMERGENCY PLAN:

In the event of a power failure:

- -The emergency lighting system will activate in the event of a total power failure.
- -The Lead Actor and Safety/Security Staff shall circulate through the House and ensure the visitors to be calm.

BOMB THREAT EMERGENCY PLAN:

In the event that a bomb threat is received:

- -Any Staff member receiving a bomb threat shall immediately notify the Lead Actor. Staff members shall not exercise judgments regarding the validity of any such threat.
- -Upon notification of a bomb threat, the Lead Actor shall instruct the Box Office Manager to inform the FD and LE, and immediately initiate an evacuation of the building.

- -Clearance to reoccupy the building shall be obtained from the FD and/or LE only.

CALLING 911:

Calling 911 should only be done in such situations such as an active shooter, uncontrollable medical emergency or out of control fire. For example, a broken ankle or wrist is serious, but can be handled by Scream Town staff and police and likely does not require a call to 911. Someone who has passed out and appears to not be responsive requires a call to 911. A small fire that could be put out with a shoe or fire extinguisher does not likely require a call to 911. However, a fire that is large and spreading fast, does.

ACTIVE SHOOTER/DANGEROUS THREAT PLAN:

Definition of Active Shooter-An active shooter is an individual actively engaged in killing or attempting to kill people in a populated area. Usually, their goal is to create as much injury, death, destruction, and chaos as they can in a short period of time allowed. In many cases they do not expect to survive and have delusions of grandeur and notoriety.

Staff-In the event that you hear or see something that obviously indicates an active shooter or similar threat is on the grounds (gunshots, people falling injured, people running from a person, muzzle flash, a person harming others with a weapon, a person with a weapon-remember a weapon can be knives, explosives, firearms, motor vehicles and other items, people saying that there is an active shooter, etc):

Procedure:

- Any staff member identifying such a threat, shall immediately notify the Lead Actor and/or Security. Staff members shall not exercise judgments regarding the validity of any such threat.
- Upon notification of a threat, and security has not been notified yet; the Lead Actor shall notify security and all staff via the radio main channel. The Box Office Manager or designee shall contact the Sheriff's Office via 911, and immediately initiate an evacuation of the grounds, opposite of the threat.

- Management and Lead Actors should evacuate all employees and attendees to a location away from the shooter. Locations should be in an area that is secure and able to be locked so the shooter cannot access the interior. If such a location is not available, the employees and attendees shall be directed to a hiding area such as the woods or other areas to hide. Remember the shooter is looking for an easy and target rich environment.
- In the event of the evacuation due to an active shooter/dangerous threat you should utilize the “Run, Hide, Fight” response. Run away, hide, or as a last resort, fight. If hiding, be quiet and keep cellphones silent.
- The law enforcement response will be to isolate or eliminate the shooter to prevent further deadly actions by the person. It is important that you remove any masks, weapons, keep hands visible and comply with law enforcement orders. Law enforcement will notify everyone when the scene is safe.
- Recommend having staff watch the FBI “Run, Hide, Fight” video. (view video at <https://www.youtube.com/watch?v=ZvkdGK2j2Bs>).

Scream Town Security

Scream Town has a contract agreement in place for security for the 2023 season.

Williams Security and Consulting

Consulting, Planning and Implementation

David Williams  Date: 4/17/2023

Andy Carleton Security

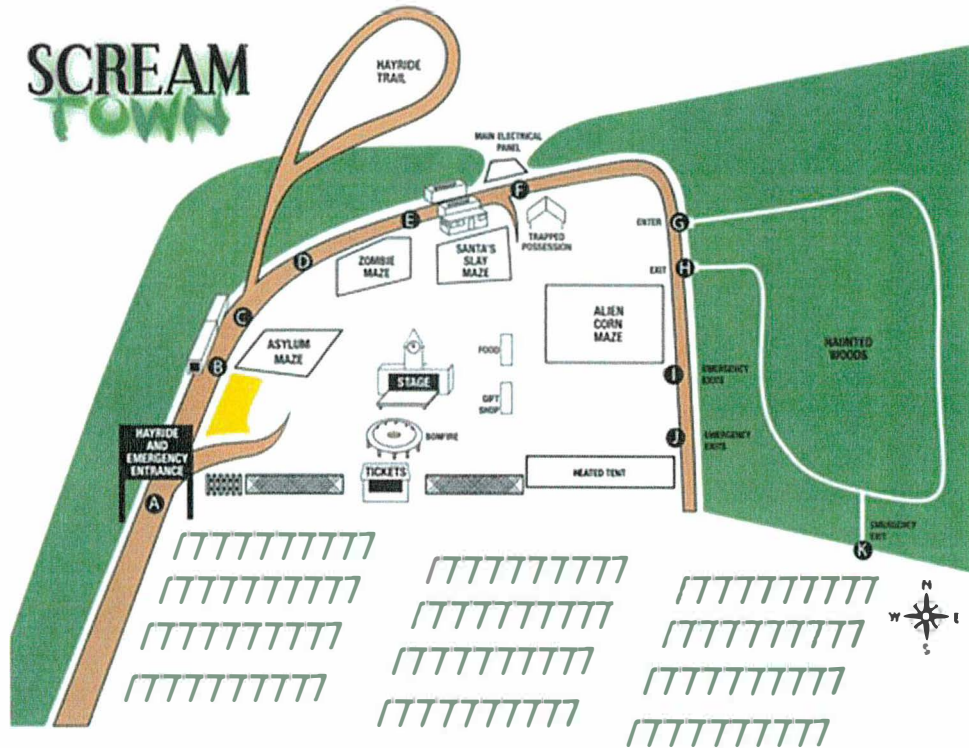
Head of Security
Andy Carleton  Date: 4/18/2023

Scream Town - Updated Site Plan

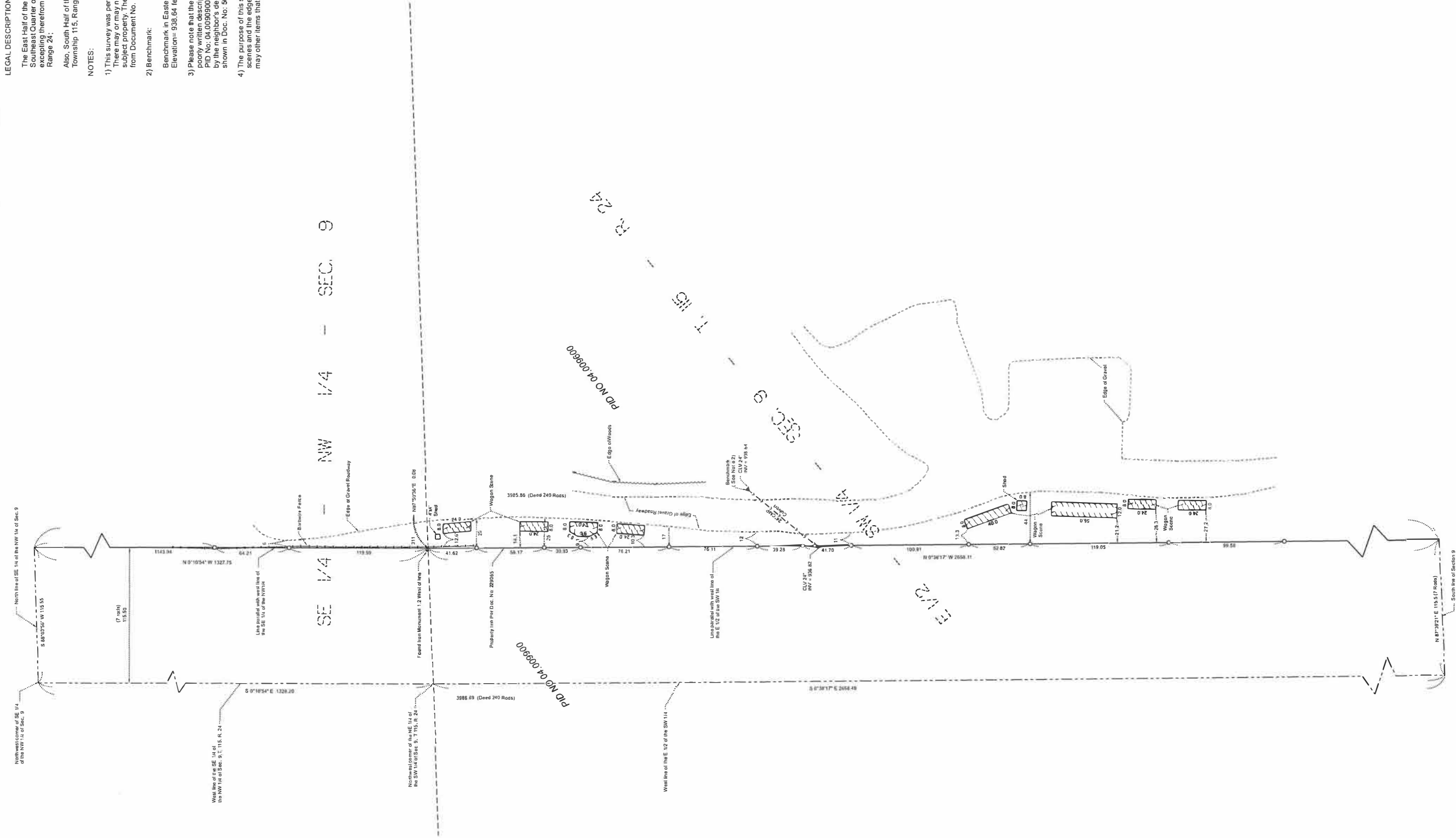
April 5, 2023



April 5, 2023



CERTIFICATE OF SURVEY
(Partial Boundary Survey)



WEBB
SURVEYING LLC

CLIENT: Matt Dunn
4130 Junco Lane N
Plymouth, MN

PROJECT LOCATION:
7110 Hwy 212
Chaska, MN

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Surveyor under the laws of the State of Minnesota.
Catherine Webb, L.S.
Catherine Webb, L.S.
License No. 41226

NO.	DATE	BY	DESCRIPTION

PROJECT NUMBER: 18113

SHEET: 1 OF 1

Dahlgren Township March 13, 2023 Monthly Meeting

The Dahlgren Township Board of Supervisors met for a monthly meeting at the East Union Lutheran Church Parish Center and on a conference call phone line on March 13, 2023. Present were Chairman Jeff Thompson, Supervisor Brian Gennrich, Supervisor Keith Kooiman, Clerk Mary Olson and Treasurer Doran Brahee. Also present were Jacqueline Corkie, Mike Coleman, Dan Coleman, Germaine Rosckes Jr., Jim Mieseler, Theresa Mieseler, Tom Johnson, Wyatt Held, Ron Olson, Matt Dunn, Richard Liehr, JoAnn Schindler, Jeff Theis, Tracy Marks, David Marks, Kerry Bement, John Crissinger, Abby Person, LuAnn Haas, Tom Peterson, Maureen Mechtel, Guy Joecks, Irene Klehr, Dan Groen, Kevin Abraham, Angie Stenson, Steve & Carmen Sommerville and Tom & Nadine Lundquist.

Chairman Thompson called the meeting to order at 7:00pm.

The Meeting Minutes were typed and emailed out to Board Members. On Motion by Supervisor Gennrich, Seconded by Supervisor Kooiman to approve Meeting Minutes. Vote-aye-all-approved.

The Board of Audit Meeting Minutes were typed and emailed out to Board Members. On Motion by Supervisor Kooiman, Seconded by Supervisor Gennrich to approve Meeting Minutes. Vote-aye-all-approved.

Zoar Church:

- Zoar Church requested a gambling permit for their 26 Club raffle being held on October 8, 2023. On motion by Chairman Thompson and seconded by Supervisor Kooiman to approve the permit. Vote-aye-all-approved.

Carver County Public Works:

- Jacqueline Corkie and Angie Stenson presented the Cologne Area Transportation Study. They had already presented this to the City of Cologne and Benton Township. The Study showed four different traffic changes that would make the County Road 41 and Market Avenue the main north/south route. An Open House will be held in May and final concepts will be adopted. Once approved, grants and funding will be applied for. This most likely will not take place for another 10-15 years.

Scream Town:

- Scream Town (Matt Dunn) presented a list of changes that they would like to make to their event.
 - Theresa Mieseler stated that the consensus of the neighbors is they oppose any changes. She stated that last year they had many meetings with the County and that the County had to keep rescheduling because they kept asking Matt Dunn for more information and she stated she did not want to repeat that again this year. She also stated that last year's event caused a lot of dust.
 - Tom Johnson stated that working with Matt Dunn was very good, but he also stated that he still had concerns about the control of the patrons attending and about the noise. He also stated that he did not want extended hours.

- Jeff Thompson, Dahlgren Township Chair, stated that he did go out to the event last year and stood on the property line off Mellgren Lane and he did not think there was excessive noise, he thought Highway 212 made more noise than the event. He also stated that he thought it was a well run event.
- Matt Dunn stated that there was a Noise Study done and they are compliant to State standards.
- Below are the Township recommendations for each item:
 - An increase from an average attendance of 600 per night, to a limit of 2,000 people at any one time.
 - Chairman Thompson – Yes
 - Supervisor Kooiman – Yes
 - Supervisor Gennrich – Yes
 - An increase in time from 11pm to 12am when warranted
 - Chairman Thompson – No
 - Supervisor Kooiman – No
 - Supervisor Gennrich – No
 - The addition of being open on Thursdays with a cap of 23 days total to be open
 - Chairman Thompson – Yes
 - Supervisor Kooiman – Yes
 - Supervisor Gennrich – No
 - Allow to be open on the day of Halloween (hours limited to no later than 10pm)
 - Chairman Thompson – Yes
 - Supervisor Kooiman – Yes
 - Supervisor Gennrich – Yes
 - To remove the requirement to have Deputies of any kind on Hwy 212 for traffic control.
 - To be decided by the County at the Public Hearing
 - The request for an additional road/ access point for incoming traffic and the ability to decorate/ theme this road with theatrical sets, lighting, and props. – see attached map
 - Chairman Thompson – Yes
 - Supervisor Kooiman – Yes
 - Supervisor Gennrich – Yes
 - Additional parking on the southwest corner of the property
 - Chairman Thompson – Yes
 - Supervisor Kooiman – Yes
 - Supervisor Gennrich – Yes
 - Additional woods space/ Night trail at the Northwest portion of the hayride road.
 - Chairman Thompson – Yes
 - Supervisor Kooiman – Yes
 - Supervisor Gennrich – Yes

Feedlot:

- The question was asked if there was a feedlot coming to Dahlgren Township. Chairman Thompson stated that there was not at this time and if there would be, they would have to come to the Township for approval of a variance if needed and a conditional use permit.

From: Sheriff Jason Kamerud

To: Jason Mielke; Christina Neel; Dave Hemze; Donovan Hart

RE: Scream Town CUP submittal for your review

Date: June 13, 2022

Thank you for the opportunity to provide some input.

The original (and current) CUP reads (in applicable part), "To reduce the risk of accidents on site and on Highway 212 the permittee shall contract a minimum of two (2) County Sheriff's Deputies for the duration of the event. The permittee shall also provide warning signage and lights as required by the road authority and/or sheriff's department and/or state patrol." The proposed change in highway design will likely lessen the need for traffic control at the entrance/exit of the site. If I understand it correctly, all traffic will enter while travelling westbound using a "right turn only lane" and exit going westbound only. If true, there is likely no need for staffed supplemental traffic control at US Hwy 212 and the entrance/exit. I will defer to highway/traffic engineers on this point, however. Traffic control onsite (i.e., parking) is purely a private business matter and not the responsibility of the Sheriff.

There is no CUP requirement for sheriff's deputies for grounds patrol. The CUP requires sheriff's deputies for traffic control "to reduce the risk of accidents on highway 212." The applicant has hired private security to manage onsite security matters. The numbers of onsite police calls for service have been manageable. I do not believe onsite police presence is required, assuming the applicant continues to provide reasonable security measures.

If the Board requires law enforcement for traffic control along US Highway 212 or for onsite policing, I respectfully request the CUP reflect a requirement for "licensed peace officers having jurisdictional authority" versus "sheriff's deputies." Our office does not always have adequate resources to fulfill the demands of staffing the position. By allowing "licensed law enforcement," the applicant has the option to explore contracts with MN State Patrol or other authorized service providers in lieu of closing or violating the CUP due to our inability to fulfill the contract.

Recommendation: No police services contract required, assuming highway construction is complete as detailed.

Jason Kamerud, Sheriff

Carver County Sheriff's Office
606 East Fourth Street
Chaska, MN 55318

17 October 2011

MEMORANDUM

TO: Matt Dunn
Scream Town

FROM: David Braslau

RE: Sound Level Monitoring on Saturday, October 8, 2011

Sound level measurements were taken just west of the nearest home on Saturday night, October 8, 2011 from approximately 6:30 pm until 11:30 pm. The attendance that evening was heavy with an attendance of 983 guests.

Conditions for monitoring noise were ideal with light winds from the west and southwest, the direction of Scream Town activity, and dropping to calm during the critical 10 to 11 pm nighttime hour.

Reported Chanhassen Weather for Saturday October 8, 2011

Time	Temp	Dew Pt	Rel Hum	Pressure	Visibility	Wind Dir	Wind Spd	Gust Mph	Precip	Conditions	WindDirDegree
5:53 PM	79	57.9	48	30.01	10	SSW	8.1	-	N/A	Mostly Cloudy	200
7:53 PM	78.1	59	52	30.04	10	SSW	9.2	-	N/A	Overcast	200
8:53 PM	75.9	59	56	30.07	10	SW	4.6	-	N/A	Overcast	230
9:53 PM	73.9	59	59	30.09	10	WSW	4.6	-	N/A	Mostly Cloudy	240
10:53 PM	72	59	64	30.1	10	South	5.8	-	N/A	Mostly Cloudy	170
11:53 PM	70	60.1	71	30.11	10	Calm	Calm	-	N/A	Overcast	0

Location of the sound level readings is shown on **Exhibit 1**. A photograph of the two meters relative to the adjacent home is shown on **Exhibit 2**. The monitoring site was approximately 30 to 40 feet above Scream Town activities with no significant shielding of these activities due to the ground topography.

Two sound level meters were used to ensure accurate readings. The meters, which calibrated to 114.0 dBA before and after the readings, were:

Type 1 Meter Larson-Davis Model 824 S/N 1338
Type 2 Meter Larson-Davis Model 700 S/N 0659

Readings were taken over 5 minute intervals to identify the variation in sound from the venue. Hourly one-hour L10 and L50 levels are used to compare with the Minnesota noise standards. Standards for the residential land use east of the venue are shown in **Table 1**.

Table 1 Minnesota Noise Standards for Residential Land Uses

Metric	Daytime (7 am to 10 pm)	Nighttime (10 pm to 7 am)
L10	65 dBA	55 dBA
L50	60 dBA	50 dBA

Monitoring results over the almost five-hour period are shown on **Exhibit 3**. It can be seen that before the 7 pm starting time, the ambient (minimum) level was about 39 dBA. After closing time, the level dropped to about 37 dBA which is when the L10 and L50 levels essentially meet, indicating almost no variation in sound level. This can be considered the ambient for the area.

Between the opening at 7 pm to 10 pm where the daytime standards apply (L10 65 and L50 60), the levels were generally 20 dBA below the standards. After 10 pm, when the nighttime standards which are 10 dBA lower, the levels were generally 10 dBA below the standards.

Some peaks were observed on the meter to exceed 50 to 55 dBA during the nighttime hour (10 – 11 pm) but the highest 5-minute L10 level observed was 45 dBA.

To confirm the hourly levels upon which the standards are based, the L10 levels recorded by both meters are compared in **Exhibit 4**. The hourly L50 levels are compared in **Exhibit 5**.

The LD824 is a Type 1 meter and more accurate than the LD700 Type 2 meter. In addition to microphone sensitivity, the small differences in sound level between the meters may also be due to placement of the meters relative to adjacent trees, wind direction, and other local and atmospheric factors. However, the L10 values are identical for the critical 10 to 11 pm hour and 15 dBA below the L10 standard. The L50 values for that hour are about .5 dBA apart, which is the recording resolution of the LD700 meter.

With the highest sound levels coming from the closest sources along the wooded trail, the difference in elevation between the meters and the home will have only a limited effect on distance through the woods to the meter and to the home. Therefore, readings at the meters which are closer to the trail than the home may be higher than what would have been observed at the home.

Based upon the readings taken on Saturday evening, October 8, 2011, noise levels associated with Scream Town are in compliance with the Minnesota Noise Standards.

Let me know if there are any questions on these findings.

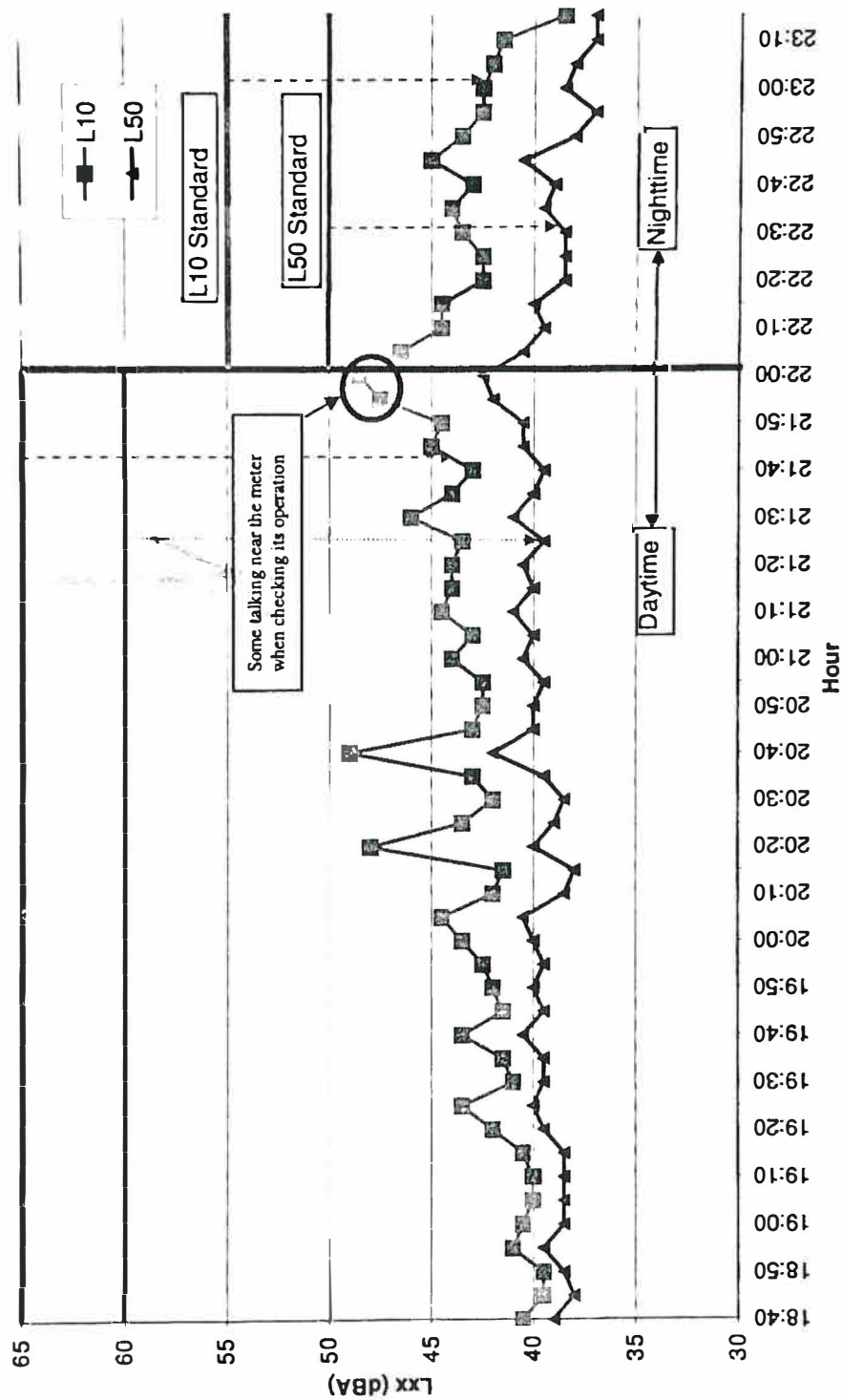
Matt Dunn on Scream Town Noise Monitoring
17 October 2011



Johnson
Residence

EXHIBIT 2

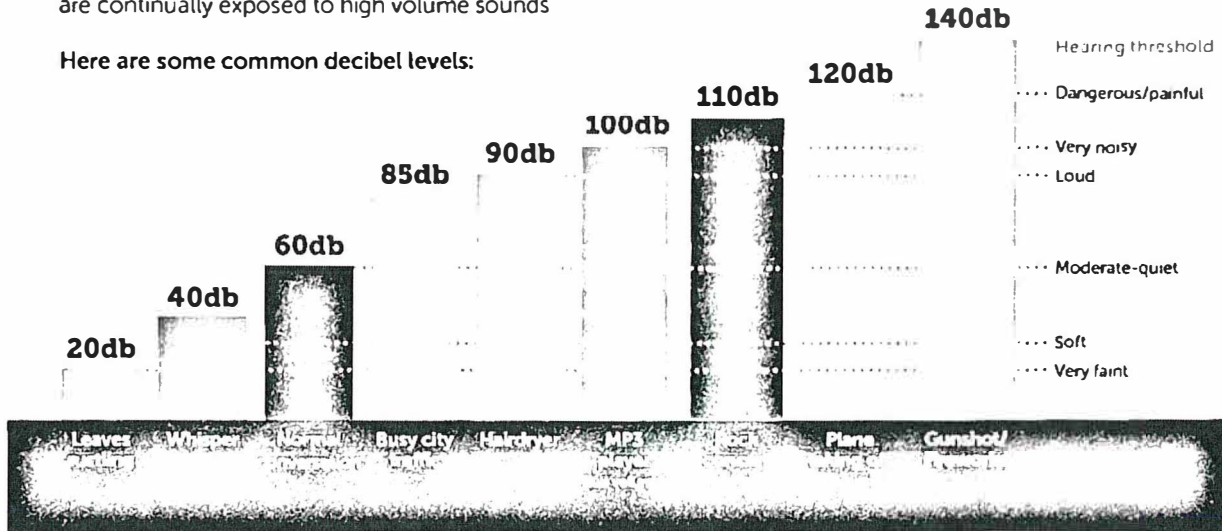
Scream Town - L10 and L50 (5 minute intervals)



How loud is too loud?

Government research suggests the safe exposure limit is **85 decibels** for **eight hours a day**. Your hearing could be at risk of damage if you are continually exposed to high volume sounds.

Here are some common decibel levels:



Every 10 dB increase in sound level doubles the perceived noise level.
 A sound level of 70dB is twice as loud as a sound level of 60dB.
 A sound level of 80dB is 4 times louder than a sound level of 60dB.

Decibels (dB)	Examples	Home & Yard Appliances	Workshop & Construction
0	Healthy Hearing Threshold		
10	A Pin Dropping		
19	Mitsubishi inside unit running		
20	Rustling Leaves		
30	Whisper / Library		
40	Babbling Brook	Computer	
50	Light Traffic	Refrigerator/ Rainfall	
58	Mitsubishi Outside A/C Unit Running	Quietest Condensing Unit on the Market Today!	
60	Conversational Speech	Air Conditioner	
70	Shower	Dishwasher	
75	Toilet Flushing	Vacuum Cleaner	
80	Alarm Clock	Garbage Disposal	
85	Passing Diesel Truck	Snow Blower	
90	Squeeze Toy	Lawn Mower	Arc Welder
90-95	Level at Which Sustained Exposure May Result in Hearing Loss!		
95	Inside Subway Car	Food Processor	Belt Sander
100	Motorcycle (Riding)		Handheld Drill
105	Sporting Event		Table Saw
110	Rock Band		Jackhammer
115	Emergency Vehicle Siren		Riveter
120	Thunderclap		Oxygen Torch
125	Balloon Popping		
130	Peak Stadium Crowd Noise		
135	Air Raid Siren		
140	Jet Engine at Takeoff		
140 and Up	Even Short Term Exposure can Cause Permanent Damage - Loudest Recommended Exposure <u>WITH</u> Hearing Protection		
145	Firecracker		
150	Fighter Jet Launch		
155	Cap Gun		
160	Shotgun		
165	.357 Magnum Revolver		
170	Safety Airbag		
175	Howitzer Cannon		
180	Rocket launch		
...			
194	Sound Waves Become Shock Waves	Loudest Possible Sound	



COUNTY OF CARVER
State of Minnesota

Document No.
A 488312

OFFICE OF THE
COUNTY RECORDER
CARVER COUNTY, MINNESOTA

Fee \$ Check#

Certified Recorded on 08-25-2008 at 02:30 ☐ AM ☒ PM



Carl W. Hanson, Jr.
County Recorder

FILE #: PZ20080001
APPLICANT: Sever Peterson
OWNER: Peterson Farm Holding
SITE ADDRESS: 7410 Highway 212
PERMIT TYPE: Fall Festival and Corn Maze
PURSUANT TO: County Code, Chapter 152, Section(s) 152.080
LEGAL DESCRIPTION: See attached Exhibit "A"
PARCEL #: 04-009-0600

Drafted by: Land Management
Return to: Land Management

CONDITIONAL USE PERMIT #PZ20080001

PLANNING COMMISSION RESOLUTION #: 08-03

ORDER #: PZ20080001

DATE ISSUED: June 10, 2008

This permit is issued for property legally described on the attached Exhibit "A", pursuant to Chapter 152 of the Carver County Code.

THE LARGE SCALE ACTIVITY (NIGHT CORN MAZE) IS AUTHORIZED BY COUNTY BOARD ORDER #PZ20080001, AS FOLLOWS:

IT IS HEREBY ORDERED THAT THE CARVER COUNTY ZONING ADMINISTRATOR SHALL ISSUE CONDITIONAL USE PERMIT #PZ20080001. THIS PERMIT IS ISSUED PURSUANT TO CHAPTER 152 OF THE CARVER COUNTY CODE, SECTION(S) 152.080 FOR A HAUNTED CORN MAZE RECREATIONAL ACTIVITY ON PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A". THE FOLLOWING CONDITIONS SHALL BE ATTACHED TO THE PERMIT:

1. The permit is subject to Compliance Review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. This Large Scale activity will be limited to an annual average of 600 patrons each day the operation is open to the public. The permittee must maintain records of the number of tickets sold to enter the site each day and provide a copy of this record to the Land and Water Services Division at the end of each season or upon request.
3. Operations shall be substantially in accordance with the application letters, responses, supplemental information and the approved site plan. The hours of operation would be 5:30 p.m. until 11:00 p.m. during Friday, Saturday and Sunday from the last full weekend in September to the first full weekend in November and also the Wednesday and

Thursday of MEA weekend each year.

4. To reduce the potential for dust, vegetation shall be preserved as much as possible. A watering truck shall be utilized for dust control, as conditions warrant.
5. To reduce the risk of accidents on site and on Highway 212 the permittee shall contract a minimum of two (2) County Sheriff's Deputies for the duration of the event. The permittee shall also provide warning signage and lights as required by the road authority and/or sheriffs department and/or state patrol.
6. The Permittee shall obtain an appropriate access, signage and construction permits and/or approval(s) from MnDOT prior to any public activities taking place on the property. Any measures required by the appropriate road or zoning authority including turn lanes and access permits must be completed in accordance with MnDOT standards prior to public activities taking place on the property.
7. The applicant shall submit a finalized operational plan and site plan to SWCD prior to commencing operations open to the public. The applicant shall abide by SWCD recommendations for the operation of the activities on site in accordance with the state water rules. Measures must be implemented to minimize tracking onto the Highway 212 and a sweeper shall be utilized within 12 hours of discovery of mud accumulation on Highway 212.
8. The Permittee shall furnish a certificate of Insurance to the County providing coverage by an insurance company duly licensed by the State of Minnesota indicating that the Permittee has in force coverage for public liability, vehicle liability, loading and unloading, completed operations liability, explosion and collapse of underground operations liability, and bodily injury liability in the amount of at least \$2,000,000 for injury of any one person in any one occurrence. Property damage insurance coverage shall be in force with a minimum amount of at least \$1,000,000. Further, the Permittee shall furnish proof of workman's compensation coverage. Insurance certificate(s) described above shall carry an irrevocable notice to the County by the carrier 30 days prior to any change, modification, lapse, or cancellation of the policies required.
9. Any required building and septic permit(s) must be applied for and issued prior to construction. Any future remodeling or construction shall be reviewed by the Zoning Administrator to determine if an amendment to the CUP is necessary. All structures shall meet the applicable State Building Code requirements.
10. The permittee is responsible for obtaining and abiding by all appropriate permits from the Department of Health and Department of Agriculture.
11. Signage for the activity shall not exceed the provisions set forth in the Carver County Sign Ordinance of the Carver County Code.
12. The permittee shall work with Carver County Environmental Services to reduce waste that his operation produces. Where possible, the operation shall utilize the Carver County Master Plan waste hierarchy to reduce the amount of waste entering landfills.
13. The permittee shall block all access from the permitted property to Mellgren lane during the permitted activity to ensure the public does not utilize the cartway.


Steve Just
Land Management Department Manager

THIS PERMIT IS NOT EFFECTIVE UNTIL SIGNED BY THE APPLICANT. FAILURE OF THE APPLICANT TO SIGN AND RETURN PERMIT WITHIN 90 DAYS OF THE BOARD'S ISSUANCE OF THE ORDER SHALL BE CAUSE FOR CANCELLATION OF THE PERMIT.

Applicant signature block

I HAVE READ THE ABOVE CONDITIONS AND AGREE TO FOLLOW THEM. I REALIZE THAT FAILURE TO ABIDE BY THE CONDITIONS IS A VIOLATION OF THE ZONING ORDINANCE. I AGREE THAT THE ZONING ADMINISTRATOR OR A DESIGNATED REPRESENTATIVE MAY ENTER UPON THE SUBJECT PROPERTY TO CHECK FOR COMPLIANCE OR FOR REVIEW PURPOSES. I ALSO UNDERSTAND THAT UNLESS SIGNIFICANT ACTION IS TAKEN PURSUANT TO THIS PERMIT WITHIN SIX (6) MONTHS OF THE ISSUANCE OF THE BOARD ORDER THE PERMIT SHALL AUTOMATICALLY BE NULL AND VOID. THE TIME PERIOD CAN BE EXTENDED ONLY BY ACTION OF THE COUNTY BOARD OF COMMISSIONERS. A PETITION FOR EXTENSION MUST BE SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE.

FAILURE OF THE APPLICANT TO SIGN AND RETURN THE PERMIT WITHIN 90 DAYS OF THE BOARD'S ISSUANCE OF THE ORDER SHALL BE CAUSE FOR CANCELLATION OF THE PERMIT. I ALSO UNDERSTAND THAT THIS IS NOT A BUILDING PERMIT AND THAT OTHER PERMITS MAY BE REQUIRED.



Signature of Applicant



Date

REVISED OPERATIONAL PLAN

TO: Carver County Planning Commission

FROM: Sever Peterson / Sever's Corn Maze and Fall Festival

SUBJECT: Conditional Use Permit for Evening Event

Sever's Corn Maze and Fall Festival is applying for a conditional use permit to locate it's evening event to 7410 Hwy. 212 in Dahlgren Township, Carver County.

This event includes a six acre haunted maze, haunted houses, haunted trails and concessions. We have portable bathroom facilities on site.

The event will be open Friday and Saturday evenings for five weekends up to Halloween. Including Thursday evening of MEA and possibly Thursday evening of Halloween week. The hours will be from dusk to 11 PM.

In 2007 our evening event had almost 8,000 visitors over twelve evenings. We hope to increase this number by fifty percent over the next three years. If we are successful we plan to have up to 300 cars at any one time.

We plan to expand our present access off Hwy. 212 to accommodate two lanes of traffic entering. This will assure there is never a delay of traffic turning into our property off of Hwy. 212.

We will have up to thirty employees who serve as parking attendants, concessionaires, actors in the haunted events and supervisors.

Respectfully,

Sever Peterson representing Sever's Corn Maze and Fall Festival.

January 17, 2017

Dear Carver County Planning Commission,

My name is Sever Peterson, and like many of your families, our family has been farming in Carver County since the 1800s. I am the third generation to continue the family farm, and the fourth generation is already very much involved. It is a family owned and operated farm, including my two brothers, my wife, son and daughter, my daughter-in-law, as well as two full time employees.

Over the years and as our family grew, our farm business has had to adapt and grow in order to keep the growing family employed, which has enabled us to grow and sell fresh produce at Sever's Farm Markets, as well as the creation and operation of Sever's Corn Maze and Fall Festival, which began in 1997. Sever's Corn Maze and Fall Festival began as an idea from an English exchange student that spoke of intricate hedge mazes, and my wife and I thought of making a maze out of corn, a farmer's specialty. Some of our designs have included the Titanic, the United States, the world, the U.S. capitol, Sever's Safari, and Sever's Wild West. Our family brainstorms and creates the maze design in the winter, plants it in the spring, cuts it in the early summer, nurtures it all season to ensure all of the corn is strong and tall, and operates it in the fall, after which the field is harvested. This year will culminate our 12th year. Sever's Corn Maze is not only a family owned and operated business, but is family oriented and fun for all ages.

We are applying for a conditional use permit under the land use ordinance 152.030 in order to obtain permission to move Sever's Corn Maze and Fall Festival to our property at 7410 Highway 212. Our event has two parts. First, is the day time event which includes the corn maze, live entertainment, straw bale maze, hay rides, corn pit, slide, petting zoo, magic and wildlife shows, pig races, pony and camel rides, a pumpkin patch, and concessions, among other activities. Second, is our night time event which includes

7-10

3-43

Sever's Corn Maze and Fall Festival is a Haunted House, Haunted Trail, and concessions. Sever's Corn Maze and Fall Festival is open Fridays, Saturdays, and Sundays, plus Wednesday and Thursday of MEA from the beginning of September until the first weekend of November, weather permitting. The daytime hours are from 11am until 6pm, and the nighttime hours are from dusk until 11pm. Last year, Sever's Corn Maze and Fall Festival had almost 30,000 visitors. Our parking lot is approximately 25 acres and can easily accommodate 1,000 vehicles. We have bathroom facilities, sanitary cleanser, and portable hand wash facilities at various locations throughout the event. These facilities are professionally serviced after each day of operation, as well as garbage services after every weekend. We plan to use the 32 square foot allowed signage, and if possible, would like to request a variance in order to explore the possibility of a larger sign. Our entire family works at Sever's Corn Maze and Fall Festival, and we also employ approximately twenty people. Their titles include parking attendants, trail assistants, maze orientation, and "ghouls" in the haunted trail and maze. Our event and activities are insured fully, including workman's compensation insurance.

We plan to relocate Sever's Corn Maze and Fall Festival to our farm in Dahlgren Township, Carver County in phases over at least two years. We anticipate that the haunted portion of our event will move in 2008 and the remainder of the event will move the following season. We have included site plans, legal description, and a demonstration of sufficient interest, in addition to the actual conditional use permit application. We would be more than happy to provide additional information if needed, or you can visit our website at www.severscornmaze.com to see aerial photos and get more of an idea of what the event entails.

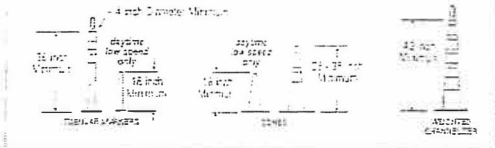
Sincerely,

The Petersons
Sever, Sharon, Aaron, Brooke, and Nicola

Speed mph	15	20	25	30	35	40
$G = 25$ ft	75	100	125	150	175	200
$G = 50$ ft	150	200	250	300	350	400
$G = 75$ ft	225	300	375	450	525	600
Buffer Space (B) feet	25	30	35	40	45	50
Single Vehicle Following Distance (F) feet	25	30	35	40	45	50
Protection Vehicle Following Distance (R) feet	25	30	35	40	45	50
Warning (W) feet	25	30	35	40	45	50
Advance (A) feet	25	30	35	40	45	50

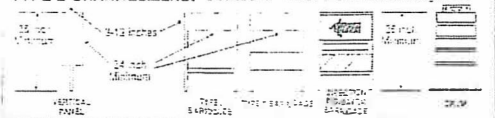
Type A channelizing devices are typically used in attended temporary traffic control zones.⁵⁵

TYPE A CHANNELIZERS:

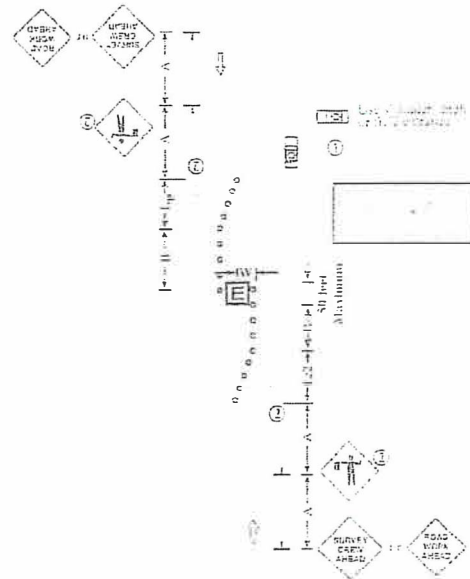


Type B channelizing devices shall be used if the temporary traffic control zone will be installed for more than 12 hours or if it is left unattended over night.⁵⁶

TYPE B CHANNELIZERS:



⁵⁵ See the NIMM TCD Part of the NIMM TCD for more information.

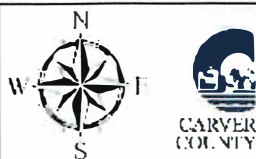
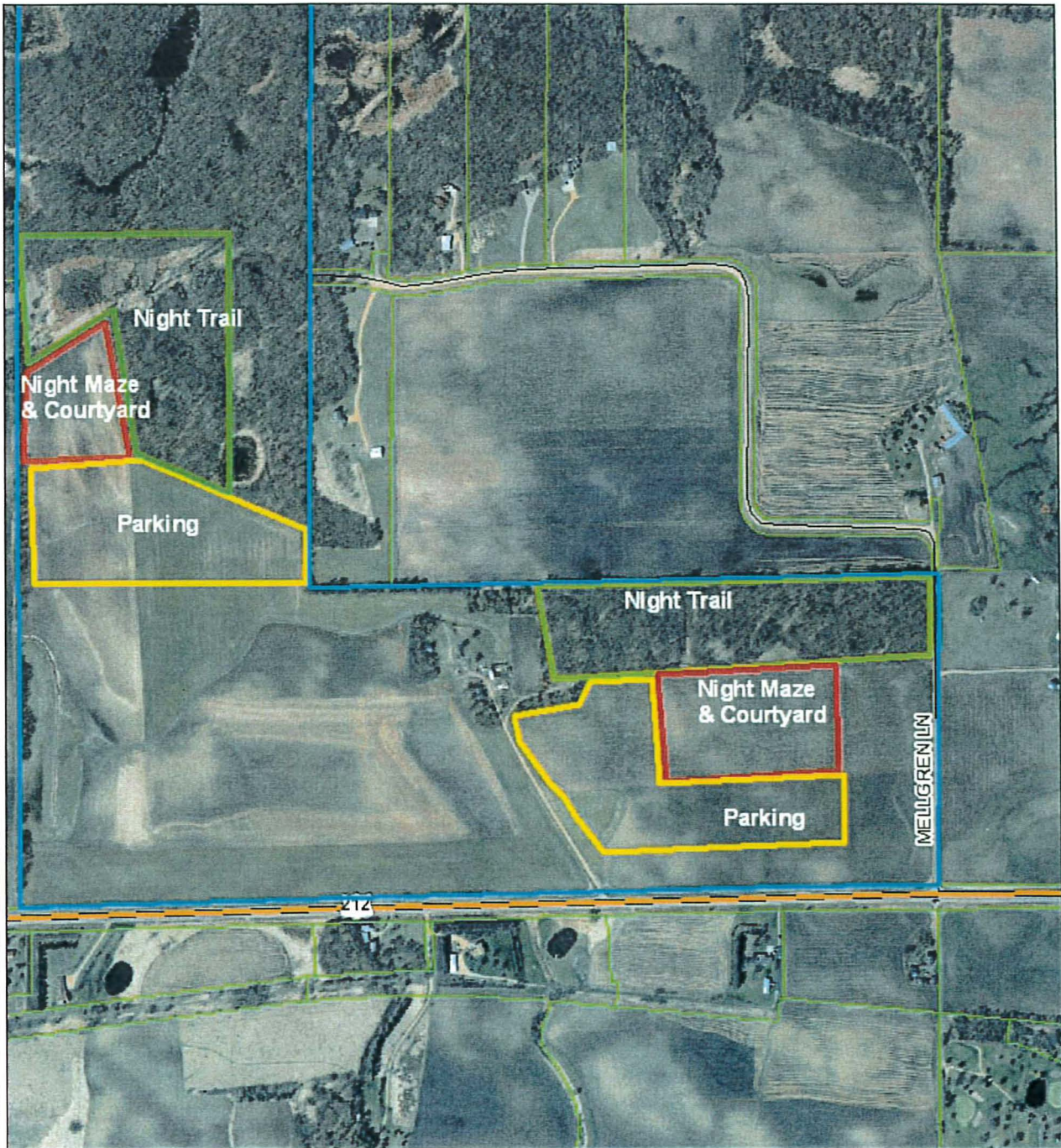


EQUIPMENT ON CENTERLINE
TWO LANE TWO WAY INTERMEDIATE VOLUME ROAD

1 HOUR 1998

1 HOUR 1998

Scream Town Possible Configurations



Map date: 7/9/2007

This map was created using Carver County's Geographic Information Systems (GIS). It is a compilation of information and data from various City, County, State, and Federal offices. This map is not a survey or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

0 175 350 700 1,050 1,400 Feet



EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 04-009-0600

File# PZ20230020

APPLICANT: Matt Dunn

OWNER: SSP Holdings, LP

* * * * *

An undivided 9/10th interest in the East Half of the Southwest Quarter (E1/2 of SW1/4);

and the Southeast Quarter of the Northwest Quarter (SE1/4 of NW1/4) EXCEPTING
THEREFROM the West 10 1/2 acres,

and also the South Half of the Southeast Quarter (S1/2 of SE1/4), all situated in Section 9,
Township 115, Range 24, Carver County, Minnesota.

DRAFTED BY: Carver County Land Management Department