

CITY OF RUSHFORD VILLAGE (CRV)
PLANNING/ZONING COMMISSION MEETING MINUTES FROM TUESDAY, September 16, 2025

The Tuesday, September 16, 2025 Planning and Zoning meeting was called to order at 5:30 pm by Planning and Zoning Administrator Jon Pettit in the CRV Office.

Members Present: Jon Pettit, Glen Kopperud, Gordon Johnson and Jesse McNamer

Absent: Hamilton Petersen

Agenda Approved as presented

Motion by Johnson, 2nd by Kopperud. Carried.

Minutes from the July 15, 2025 Planning and Zoning Commission Meeting approved as presented

Motion by Johnson, 2nd by Kopperud. Carried.

Citizens/Others Present: Jayme Longmire-CEDA, Laura Qualey-CEDA, Evan Meier

NEW PERMITS:

- #1728-Rodney Clausen-Door & Window Replacement-State Hwy 43 S
- #1729-Johnny Bellock-Re-Roof House-State Highway 43 S
- #1730- Johnny Bellock-Re-Roof Garage-State Highway 43 S
- #1731-Heather Grigg-42x41x48 Chicken Coop-North Money Creek
- #1732-Brett & Janet Wynia-4 Season Room-Hayes St
- #1733-Robert Forsythe-4 Used Window & Used Tin, North Side of Barn-Ridgeview Rd
- #1734-Brad & Connie Welsh-24x40 Post Frame Unattached Garage-Dunn Ln
- #1735-Val Gudmundson-Roof & Siding Storm Damage Repairs-State Highway 30
- #1736-John & JoAnn DeGeorge-Roof Storm Damage Repair-Oakview Loop
- #1737-Benjamin Bernard-11.4kW Roof Mount Solar Array-Indian Chapel Rd
- #1738-Leanne Kasper-Garage Roof Storm Damage Repairs-Crimson Ln

PERMIT STATUS / PROJECTS IN PROCESS / INQUIRIES:

- **Vern Bunke Development:**
 - Pettit reported Bunke has been in contact with MN DOT regarding the road access to his proposed development but has no other update to report
- **Evan Meier-44959 Plummer St-Front Yard Landscaping:**
 - Pettit stated when he spoke to Meier about this. Meier was informed this could not be placed in the 66-foot road right of way but could be on the edge of the right of way further into Meier's yard. Meier was not interested in moving the barrier further into his yard and did not agree with what he was told. There is a 66 foot right of way at this location
 - Meier would like to install a 12-16 inch high retaining wall barrier backfilled with dirt in his front yard in the road right of way to prevent cars from driving into his yard. Trees that were there had to be removed after the July wind storm. He is concerned about the safety of his children
 - Johnson stated nothing can be in the road right of way, it would be a problem for street maintenance.
 - Meier stated in past winters he kept this area clear and piled snow in this area to stop cars from sliding into his yard
 - Meier stated it would be a dry stack wall so if something had to be done in that area it could come down
 - Meier stated other properties in the area have something in the right of way
 - Johnson asked if CRV should be putting up a guardrail, Pettit stated CRV could but it would be placed on the edge of the road right of way. Pettit stated Attorney O'Koren has advise this should not be done
 - Meier stated he spoke with Overland. According to Meier Overland mentioned placing a jersey barrier that are 30 inches tall an ugly, Meier feels what he is proposing would be a better option. Ebner stated per his conversation with Overland, Overland does not want to do this. CRV legal counsel advises against placing anything in the public right of way, everything would need to be placed on the edge of the right of way
 - Johnson asked if a guardrail was to be placed if it could be off the edge of the road a little way like the state does. Ebner stated legal counsel says we have to stay off the public right of way, it becomes a liability issue if something happens
 - Kopperud stated the right of way is getting close to the house and the utilities are within the right of way but there is a large gap that eats up a lot of the yard which limits what can be done in that area. Pettit stated the CRV ordinance right now states you have to stay 30 feet off of the right of way with any structure. Pettit stated he does not know what the ordinance was when these houses were built but now we do know what the ordinance is and its 30 feet
 - Johnson stated this is the same type of thing someone wanted to do on Ridgeview. They wanted to build some sort of addition in the right of way along Ridgeview Road, This was not allowed

- Meier stated there is wording in the regulations that says fences, nothing is mentioned about retaining walls, may be constructed within public and private utility and drainage easements upon application and consent by the City of Rushford Village. Ebner stated this is for easements not the public right of way, Meier stated he could not find any
- wording about public right of way referencing landscaping other than in the commercial section. Pettit stated they stopped fences going forward also at that point, it's a safety thing also especially on the intersection side.
- Pettit has concerns about when the property is sold, what happens to the next guy. Johnson asked what happens when it gets hit by the snowplow or grader because its too close, you can't expect an operator to be able to get the snow beyond. Ebner stated Dessner is not in favor of this
- Johnson stated he is inclined to not allow this. All the years he was on the Council this was not allowed and he is not in favor of it. Johnson stated Planning and Zoning can make a motion that they do not support it and then it would go to the Council for the last say. Ebner stated the Council needs a recommendation from Planning and Zoning
- Meier questioned if the problem is concerns about CRV being responsible for damage to the wall. Johnson stated it's not that. In the past the Council has not allowed things to be put on the right of way, temporary or permanent, it was forbidden and with legal counsel advising against it then he would have a hard time supporting it
- McNamer asked Meier the main reason he wants to do this. Meier stated wants to stop cars from sliding and someone getting hit and he would fix the drainage issue that has been there since the house was built at the same time he installs the wall.
- Meier stated he has called the Sheriff Department so they are aware of the situation but there is no enforcement on one off issues. Meier also has cameras on his property. Miner stated the Sheriff Department should be called when there is property damage. Meier stated they were called but he is more concerned about the safety of his children then a sign
- Kopperud feels there needs to be a solution to the problem of cars running onto the yard if there are kids playing there. Kopperud does not know if the solution is CRV needs to do something with the traffic coming down through there or put up a concrete barrier.
- McNamer suggested a CRV place a guardrail, Johnson stated CRV could do that but it would have to be in the yard on the edge of the right of way. Miner stated putting anything in the right of way to close to the road is a safety issue for anyone else using the road and for CRV to maintain the road
- Ebner stated this is not just a personal issue, this involves public safety and CRV can only do what our legal counsel advises which was if anything gets done it has to be on the edge of the public right of way. Ebner stated doing anything else would be a legal liability
- McNamer questioned if CRV could be liable is someone gets hurts. Ebner stated CRV has a stop sign at the intersection of Darr and Plummer and the speed sign has been moved to Plummer Street to help reduce speeding. Ebner stated there have not been any other complaints regarding this. Kopperud stated that might be because Meier is the only one who lives at the intersection

Motion made to pass along to the Council without a recommendation

Motion by Kopperud, 2nd by . Failed.

- Kopperud stated he does not feel there is an answer to this. Kopperud asked if Meier if he had a vehicle he could park there. Johnson stated there are regulations regarding parking on streets. Kopperud suggested parking it in the yard, Johnson stated you can't park it is the road right of way and leave it there
- Meier stated he wants to find something to keep the kids safe, nothing that is big and obstructive, it would be a 12 inches tall dry stack wall that could be removed easily
- Pettit stated the playground in the yard is not in the front yard, it is to the east of the house which is not where the retaining wall would be. Pettit stated it is the parents responsibility to keep the kids safe and make them aware of things and law enforcement has a responsibility to answer and take care of habitual complaints or offender. Meier stated the one who hit the sign is not the only one there are people who slid into the yard in the winter. There is not active law enforcement patrolling in South Rushford unless there is a complaint made
- McNamer does not feel they can make a recommendation to allow it legality wise.
- Meier asked what other solutions might there be, Johnson said that is a Council decision. McNamer stated there does not seem to be a good solution either way
- Miner asked Meier if the problem is from people coming from Darr Lane and sliding into his yard. Meier said that is right and they are entering way into his yard. Miner stated the playground is way to the left of the Darr intersection, Meier stated the front yard of the house is a flat area where the kids play
- McNamer questioned if it would be possible for CRV to place a 6 inch curb. Meier stated other areas have curbs. Johnson stated those curbs are for water runoff and placing one here would make street maintenance difficult
- Johnson stated the fact Planning and Zoning are at odds with it the Council is going to have to deal with this but with the legal opinion is has to be a negative coming from Planning and Zoning and if something can or should be done it needs to be moved forward to the Council. Johnson cannot support it because things cannot be placed in the road right of way
- Ebner stated O'Koren was contacted. O'Koren does not recommend allowing anything being constructed in the road right of way
- Ebner stated if they are not stopping at the stop sign or are speeding in the area it is a legal issue. If this person is doing these things CRV cannot do anything about it. Kopperud and Meier stated it is more than just one person doing this. Kopperud suggested putting is speed bumps but they would need to be removed in the winter

- McNamer suggested Meier ask the Council about putting in a 6 inch curb. Meier stated the State on Minnesota has approved designs for curbs up to 10 inches tall. McNamer stated this might help stop a car that has slid through the stop sign from entering the yard. Ebner stated there is the same scenario at the next intersection which is a T intersection except they have more time to get their speed up before the intersection
- Meier asked where the line is between just landscaping the yard. Johnson stated if Meier goes to the Council maybe legal can answer that. McNamer asked if he was suggesting bringing in dirt right up to the shoulder of the road edge, Meier stated he could put a real high pitch on that and seed it is but it wouldn't look good. Johnson stated he could not change the road right of way unless it meets the criteria
- Pettit stated he does not deal with hypotheticals but if a permit application is submitted with what he wants to do then it would be researched and determine at that time if it can be done or not

Motion made to forward to the CRV Council with a negative recommendation to allow a barrier be built in the road right of way **Motion** by Johnson, 2nd by McNamer, Kopperud Abstained, Carried.

- Kopperud told Meier at this point everything is against him and suggested Meier come up with another plan. Meier stated he cannot find anything that says what can be done in the road right of way, he was told nothing can be done in the right of way
- **Ben Bernard-11.4kW Roof Mount Solar Array-31843 Indian Chapel Dr:**
 - A permit application for a 11.4kW roof mount solar array has been submitted. Because of the solar array kW's and size a public hearing will need to be held
 - Pettit does not see any problem with the permit application and will bring it to the Council so they can set the public hearing date and time
 - Kopperud asked how CRV came up with the kilowatt amount. Johnson stated it had to do with the number of square feet of the array. The biggest reason for doing this was if an array was being put up in a residential area and it blocked the neighbors view the public hearing allowed the neighbor to voice their concerns

OTHER ISSUES/CONCERNS:

- **The Nature Conservancy-Leon Quarve Property-Ridgeview Road:**
 - CRV received a letter stating the Nature Conservancy will be purchasing 35.35 forested acres along Ridgeview Road from Leon Quarve. Johnson stated he does not want to allow this. Miner stated there is nothing CRV can do about it. Johnson stated he did not think they could exceed owning more than 11%, Ebner suggested this might be something for O'Koren to look at
 - Pettit stated it is clear from the letter from the Nature Conservancy does not understand what's going on. They do not understand CRV is a city not a township and CRV does not receive PILT money from Fillmore County
 - Johnson stated someone from the CRV Council needs to go to a County meeting and push this issue because what Fillmore County gets paid they keep instead of passing it through to CRV
 - Johnson stated he spoke with Greg Davids a while back. Davids told Johnson if the Fillmore County Commissioners would approve paying CRV PILT money he would sign the order
 - Ebner asked Johnson if he would be willing to meet with the Commissioners. Johnson stated he would be willing to attend a commissioner meeting with someone from the Council
 - Ebner stated there is another parcel of approximately 88 acres owned by Quarve that borders the 35.35 acres the Nature Conservancy will probably purchase also later on
 - Laura Qualey-CEDA, found MN Statute 477A.14 subdivision 3c which is an exception for a former township that is now a city. It states if a township became a city and as a township received PILT money in 2006 they are still entitled to PILT money. CRV became a city in 1976. CRV has not received PILT money since 2018
- **Jayme Longmire-CEDA:** Jayme introduced Laura Qualey, CEDA Regional Manager
 - Jayme sent an email asking for input regarding what CRV would like her next steps to be. The desire to get the 3 city meetings going again was suggested.
 - Longmire stated CEDA could help get these meetings going and suggested focusing on the housing issue and the types of housing that is needed as something the three cities could work on together. Housing was highlighted in the Comp Plan as something for CRV to look at
 - Longmire suggested CRV might want to look at the current ordinances to see what can be changed to allow for smaller lot sizes which would allow for more dense housing. The 2.5 acre minimum for rural residential makes it very hard for the average person to buy the land and be able to build a house. Longmire suggested looking at the ordinances to find a way to allow someone who has a farm but is now elderly and wants to pass the farm to a family member or sell the farm but wants still be able to build a small house on that property so they can stay in the area
 - There needs to be a solution for the elderly population to stay in CRV. This entails looking at CRV ordinances but also collaborating with Rushford and talking about the best areas for more dense housing. A possible option might be villas, tiny homes or duplex options. You might want to look at other options than single family homes. Even if the lot size is decreased it is still hard for elderly people to be able to afford to buy a lot and build a house
 - McNamer stated he feels allowing a "granny flat" would be beneficial because it would allow for older family members who are looking to downsize to have a smaller home on land they already own and can share the well

- Qualey shared the concept of Cozy Home Colonies. This is where a group of small homes are built on a small acreage with some public green space and would be handicap accessible but would not provide medical care. This would be a small community area but they would all have their own small house. Johnson stated there could be septic systems issues if it was in an area not served by water and sewer. Another concept is yard homes. These are ADU's (Accessory Dwelling Units). These can be many different sizes and styles. They are generally built on the same parcel as the main house.
- Pettit stated CRV is interested in this sort of thing but finding developers or investors is difficult
- Johnson stated in the ag sections of the village there is the opportunity to have a second home on the same property but you have to meet the criteria. Johnson stated it has to be a farm and it has to be a family member. McNamer asked if they define a farm within the criteria. McNamer stated this would work nice for him because he does not need a lot of bedrooms but his daughter does. He could live in a small house next door and hook up to the existing sewer and water. Qualey stated this could be a way to help elderly people stay in CRV as well as a way to offer those that grew up in the area a way to be able to come back with their families to live
- Johnson stated there is an area in South Rushford that would be perfect for a development but the landowner has no desire to sell or develop the land so even if they decided to sell there would need to be someone willing to develop it
- Johnson and Longmire felt the proposed Ladewig property would be a good spot to have more dense housing but it is not served by water or sewer so at this time 2.5 acre lots are required. Johnson stated if the City of Rushford would be willing to allow this development to hook up to their sewer main then smaller lots sizes would be possible. Johnson stated the City of Rushford indicated at one time the sewer main in that area would not be large enough to accommodate additional hookups.
- Kopperud suggested starting a conversation with the City of Rushford because it could take years to come up with something even if we could get everyone on the same page but if we don't start it the whole thing will just be pushed down the road. Johnson stated this has been a conversation for many years. McNamer asked who would be a good person to start the conversation. Kopperud stated if the right people are talking it might work but if the wrong people are talking then there is an issue and it's not going anywhere. Ebner stated this has been put on hold until after the Rushford election because there will probably be changes
- Longmire wanted a general sense about how everyone felt overall so if she was able to come up with a proposal or get people to a table to start talking as far as current ordinances. What could be worked out or amended to make it work for that developer or partner. Johnson stated he felt the amending part of it would be the simple side of it, we would first have to have a proposal to know what they want and what is it CRV would need to do to make it fit. Pettit stated cluster housing is already part of the CRV ordinance so that helps. Johnson stated the County does the septic systems

OTHER UPDATES/ MEETINGS:

Next Zoning Board Meeting: October 21, 2025 @ 5:30 pm at CRV Office

Next Council Meetings: September 16, 2025 and October 7, 2025 @ 7:00 pm at CRV Hall Office

Motion to Adjourn made by Kopperud 2nd by McNamer at 6:46 pm

Recorder: Mary Miner