

**TOWN of MAY**  
**WASHINGTON COUNTY, MINNESOTA**  
**SPECIAL MEETING MINUTES**  
**August 8<sup>th</sup>, 2024**

The Board of Supervisors of the Town of May reconvened on Thursday, August 8<sup>th</sup>, 2024 at 7:00 p.m. Those present included: Board members John Pazlar, Steve Magner, and Don Rolf; Attorney David Snyder; Planner Nate Sparks; Clerk/Treasurer Bobbi Hummel.

This meeting is reconvened from the regular Board meeting on August 1<sup>st</sup>, 2024. Due to an unexpected illness.

The purpose of this meeting is to consider the conditional use permit application by Liberty Classical Academy.

Board Chair John Pazlar called the meeting to order at 7:00 p.m.

Planner Sparks reports that at the July 25<sup>th</sup>, 2024 Special Board Meeting the Board contemplated a moratorium of non-residential uses and associated facilities in the rural residential zoning district. The intention is to study the potential impacts of such uses and ensure compliance with the comprehensive plan. The township has requested the applicant extend their review period through the moratorium. Liberty Classical Academy submitted their complete application in April 2024, the Planning Commission held a public hearing in May 2024, the Board meeting/review was in June 2024. The decision was tabled until the July 11<sup>th</sup>, 2024 Board meeting. A Special Meeting was held July 25<sup>th</sup>, 2024 with the decision tabled/meeting recessed to tonight. The time period to review the application is ending soon, a resolution denying the conditional use permit request for the associated facilities for the school expansion is presented for consideration.

Pazlar thanks everyone for their interest and thoughtful input thus far.

Rebekah Hegstrom offers thanks and is grateful to the Board for their time and effort. Teaching at Liberty Classical Academy includes logical thinking, so they are not overtaken by emotional arguments. She asks the Board to not allow unfounded fears to overcome reasoned analysis and that wisdom prevail based on township codes. The application was discussed in May of 2023, the Board had the opportunity to update the codes at that time. LCA has spent thousands on consultants, studies, applications, and hearings in 2 communities. LCA serves this community, our community. Many residents from May and the surrounding community have pleaded with the Board to follow the codes and approve this CUP. LCA/Withrow School is not new to the area, nor is her family. Withrow is well know in this area. The plan allows for the entire property to remain rural, much more so than if it were a housing development. The building amounts to only 2% of the entire 82.6 acres of land. A ballfield is right outside of the May townhall, and still considered rural. The septic is the equivalent of 16-20 homes. It meets the towns requirements for approval, the board has known about the plan since May of 2023. They own the land and have invested almost 6 million dollars into this property, with another 1.2 million in design and engineering fees to meet city, county, watershed, and MPCA requirements. LCA is here to stay and wants to be good neighbors and secure their legal rights to grow the school, they would much rather see the Board do the right thing. The obligation of the Board is to dispassionately follow their own rules, there are real consequences for not doing so.

Constituents are made up of many more people who support Liberty than oppose it. LCA wants to help the community enjoy the asset of an excellent school and they are happy to be here and serve the community.

Pazlar notes, this permit application has been discussed at length and comprehensively. A prior meeting considered an interim ordinance to establish a moratorium, limiting non-residential conditional uses. Giving the town an opportunity to publicly study the language and uses to ensure it is in-line with what the public wants and with the comprehensive plan. A similar process took place in the conservancy district, with a multitude of uses that didn't apply to expected uses. The effort resulted in only 4 conditional uses. Currently, the rural residential district has 26 conditional uses. There are uses carried over from decades ago. Absent an extension on the application, the Board is compelled to make a decision on the application (CUP) tonight.

Opinions can vary on the permit application, moratorium, and the effectiveness of same. The township did enact a moratorium recently that doesn't allow for this sort of permit application. The hope, with this application, was an extension to have a more in-depth study of what belongs in a rural residential district, especially from the perspective of the public. Without that, we are out of time; a decision must be made tonight. The township has a moratorium in place, that moratorium doesn't legally allow the approval of a permit request of this type. It must be denied.

No other comments from the Board at this time.

Pazlar motions to approve resolution 2024-10, denying a conditional use permit for Liberty Classical Academy. Seconded by Magner. By Roll Call Vote: Magner, YES. Pazlar, YES. Rolf, ABSTAIN. (Rolf works for the design group representing Liberty Classical Academy). Motion passed.


Consideration of the length of the moratorium is open for discussion. Pazlar directs staff, with Board support, to review time/effort required to purposely evaluate the rural residential zoning district with the concerns brought up in these meetings. The goal would be to determine if the moratorium should be a full 12 months, or perhaps a compressed timeframe.

Snyder recommends the Board consider shortening the moratorium period. The 12 month time on a moratorium is what the statute allows, it is possible to have a moratorium for 4,6,or 8 months. It is possible to consolidate efforts with public and applicant input to accelerate the review. If it is the intention to consider a shorter moratorium, a motion should be presented now.

Pazlar motions to direct staff to provide a recommendation considering a reduction in the length of the moratorium at the September Board meeting, with a suggestion of 8 months versus 12 months. Also, if a reduced moratorium period makes sense and allows for enough time given public/applicant interest. Seconded by Rolf. All in favor. Motion passed.

Meeting adjourned at 7:21 p.m.

Submitted:

  
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Bobbi Hummel  
Clerk/Treasurer

Approved:

  
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John Pazlar  
Board Supervisor, Chair