

Helga Township  
Special Meeting of the Board of Supervisors  
Restore House Conditional Use Hearing  
Minutes of  
March 4, 2013

**PRESENT:**

Board Members present; Don clay, Dale Berglund, Mark Lawyer, Joanna Olson-Hammerstrom, Jeff Schussman, Clerk Susan Adkins, Also present, Attorney Steve Bolton

The meeting was called to order at 11:09pm. The Pledge of Allegiance was recited.

**Approval of Agenda:**

Don made a **motion** to approve the agenda, **Second** by Jeff, **approved**.

**Public Input Restore House:**

Don Clay asked the people if they would be happy with approving the CUP for 9 with the restrictions and Restore House if they could comply with all of the restrictions. Restore House commented about the restrictions. It was discussed that it should be clear that if it is denied they can still put in 6. Discussion ensued between the people and Restore House. A petition was presented from the residents. Subdividing the property was also discussed and if they could put more buildings on the property.

**Findings of Facts of Planning Commission:**

The findings if Facts from the Planning Commission were reviewed.

Joanna made a **motion** to except the Finding of Facts, **Second** by Dale, **approved**.

**Voting:**

Jeff made a **motion** to deny the Conditional Use Permit, **Second** by Mark Lawyer  
Discussion

Attorney Bolton noted that the board needs to make their own Finding of Facts

Findings of Facts of the Board of Supervisors

**Findings of Facts:**

1. Will the planned use be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the Town?

**It is detrimental to the public safety of the neighborhood because of the nature of the business and the increased traffic and is generally not in harmony with the neighborhood. Provisions would be difficult and costly to enforce.**

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2. Will the planned use be harmonious with the general and applicable specific objectives of the Town's Comprehensive Plan?

**The conditions are costly and complicated to deal with and would not be harmonious to Helga Township Residents.**

3. Will the planned use be designed, constructed, operated and maintained to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area?

**No, it will change the essential character of the area which is at this time primarily residential.**

4. Will the planned use be hazardous or disturbing to existing or future neighboring uses?

**It will be disturbing to the neighborhood based on the public input.**

5. Will the planned use involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, scenic blight, glare, or odors?

**Yes, there would be increased traffic and there would be too many unknown activities on the property including but not limited to whether or not there would be enough staff for the clients.**

6. Will the planned use involve lighting, including lighted signs, that would impair the enjoyment of property and/or property owners in the vicinity or the safety of the traveling public?

**No**

7. Would the planned use be in conformance with the provisions of this Ordinance, and would not unreasonably interfere with the health, safety and welfare of the surrounding owners and the public, if conducted in compliance with the conditions imposed on the permit?

**Because of privacy and the nature of the business any conditions would be very difficult to enforce.**

8. Would the planned use adequately provide for parking, current and anticipated traffic congestion, and traffic safety so the use does not become or create a nuisance?

**Yes, there would be plenty of parking**

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**Board Votes on Restore:**

Don made a **motion** to deny the Conditional Use Permit application and to adopt the finding of the facts, **Second** by Jeff, **unanimously carried**.

**ADJOURN MEETING:**

**Motion** to adjourn made by Joanna, **Seconded** by Mark, **motion carried**.  
Meeting adjourned at 12:10 am.

Respectfully Submitted,

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Susan Adkins, Deputy Clerk

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Don Clay, Chairman