

Rochester Township

Board Meeting Minutes

August 23, 2021

Meeting was called to order at 6:00 pm by Chairman Matt Kitzmann.

Members present - Matthew Kitzmann, Jamie Neisen, Brian Zmolek, Jeff Orth and Randy Staver; Brian Mueller absent

Guests – Roger Ihrke, fourteen members of the public.

Minutes – Brian Zmolek moved to approve the minutes for the August 12, 2021 meeting. Jeff Orth seconded. All voted in favor (4-0) and the motion passed.

New Business:

Pavilion Estates – EAW –

- Matt Kitzmann opened the topic and set forth the speaking ground rules. He specified that the Board will not undertake discussion or make any decisions in the course of this meeting.
- Michael Melford presented.
 - Presented some of his credentials and prior work with National Geographic.
 - Provided an overview of protected areas across the United States and highlighted several unique environmental sites.
 - Is the proposed development site the 'right' site?
 - Other sites across the country have done studies to see if environmentally sensitive sites could co-exist with development, mining, etc. Often times they cannot co-exist.
 - The township needs to take extra precautions before deciding whether to allow the proposed development.
 - Believes a full, independent Environmental Impact Statement (EIS) is warranted.
- Dr. Lynn Cornell presented.
 - Data was presented showing a decline of North American bird habitats.
 - Data was shown regarding the decline of the Blue Heron population.
 - Stressed the importance of retaining remaining environmentally sensitive sites.
 - Website was created – <https://savetherookery.org/>. Significant interest has been shown.
 - The group has consulted with wildlife and environmental experts.

- Believes the EAW produced lacks details and is inconclusive. Believes misrepresentations have been made such as the population of Blue Herons.
- Relatively little forested area remains in Rochester Township.
- Could be established as a scientific study area.
- Jeff Broberg presented.
 - Wanted to address some of the concerns he has heard.
 - Not an intent to destroy the rookery; development will encroach within 200 feet.
 - Was anticipating more contact and discussion with the neighborhood group.
- Molly Tuma presented.
 - Did a site review and observations of wildlife activity.
 - Provided an overview of proposed property lot lines relative to wildlife area.
- Jeff Broberg spoke.
 - Seven issues cited.
 - Also did a site observation.
 - Referenced an earlier report by Carrol Henderson which appears to conflict with current sentiments.
 - Acknowledged that there are rules in place that do not permit disturbing an active nesting site.
 - Does not believe the objections would stand up to prevent a development from going forward.
 - Does not believe this site is as unique as has been stated.
 - Property rights are at stake. Does not believe the birds and site are endangered.
 - DNR relies on the law and will generally not intercede in a property dispute.
- Member of the audience noted an article she provided for the Board. Pointed out the importance of preserving the site as discussed in the article.
- Member of the audience asked what activity can occur now. The owner is already zoned such that he could subdivide the land into three lots and essentially proceed. She also stated that opposition appears shortsighted and asked exactly what is being saved.
- Jeff Orth asked what other things could threaten the habitat. Jeff Broberg discussed other predators. Would be ideal to preserve a wetland area to provide a food source.
- Jeff Orth spoke about various running water issues the township often deals with.
- Roger Ihrke talked about next steps in the review process. Comments from each side are shared with the others with an opportunity for response. Federal and

State agencies will also have an opportunity to provide comments. The Board needs to make a negative declaration whether any further study is needed. A positive declaration would mean the Board feels a more comprehensive study is needed. It will take time to assemble comments and responses. Roger recommends either taking up the topic at the October meeting or set a separate special meeting.

48th Street SW –

- Jeff Orth spoke about resident complaints about lack of mowing along 48th Street. Mowing the roadside is the responsibility of the City of Rochester. Due to equipment unavailability, the city asked if the township would be willing to do the mowing. No mowing has occurred yet this season so the grass was quite long. Township crew began mowing and along the way damaged some utility posts since they were so difficult to see. The road crew stopped mowing at that point. The Board discussed responsibility to township residents.

Meeting Adjourned – Jeff Orth moved to adjourn the meeting. Brian Zmolek seconded. All voted in favor and the motion passed. Meeting was adjourned at 7:30 pm.

Respectfully Submitted,

Randy Staver, Clerk / Treasurer

Matt Kitzmann, Chairman