

New Haven Township

OLMSTED COUNTY, MINNESOTA – EST. 1858
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New Haven Township
Public Hearing
September 22, 2026
6:30 pm

A public hearing was convened to consider the revocation of Conditional Use Permit (CUP) #92-11, currently held by Hope Farms for the property located at 7326 100th Street NW, Pine Island, Minnesota.

Following the Pledge of Allegiance, Chair Ann Fahy-Gust called the public hearing to order at 6:30 p.m. Supervisors David Andrist and Dale Thomforde were present, constituting a quorum. Also, present were Treasurer Chris Hawkins and Clerk Bonnie Kosmicki.

Fahy-Gust provided an overview of the purpose of the public hearing, which was to consider revocation of the conditional use permit issued to Hope Farms allowing retail transactions on the property. Fahy-Gust acknowledged that the public notice had not been published in the newspaper within 14 days of the meeting. However, notification letters had been mailed to residents within one-quarter mile of the property within the required timeframe. Because those most directly impacted by a potential change to the conditional use permit had been notified and given the opportunity to attend and provide comments, the decision was made to proceed with the public hearing.

Fahy-Gust explained the procedures for the public hearing and provided instructions to attendees. She stated that she would ask three times for anyone wishing to speak in favor of rescinding the conditional use permit (CUP) to their provide comments. She would then invite those opposed to rescinding the CUP to speak, making the invitation three times as well. Finally, attendees would have three opportunities to provide general comments regarding the matter. Fahy-Gust requested that only one person speak at a time and that each speaker state their name and address before providing comments in order for the clerk to document same in meeting minutes. After this, the public hearing will be closed and the supervisors will have discussion and then vote on whether or not the conditional use permit allowing retail business will be rescinded.

Fahy-Gust informed those in attendance that she had spoken with the owner of Hope Farms, who indicated that he no longer wished to conduct retail sales and intended to focus exclusively on wholesale operations, with the exception of one auction to liquidate remaining merchandise. Other aspects of the business, including tree planting, will be operated from a different location. The owner is requesting to operate strictly as a wholesale business, consistent with the allowances under the conditional use permit (CUP) previously held by Randy Hoberg. The original CUP issued to Wally's Gardens is the permit currently under consideration for revocation.

#1 Fahy-Gust asked if anyone want to speak in favor of rescinding the CUP allowing retail business.

Astrid Hoberg, 7730 River Heights Court NW, Oronoco, stated that she was unclear about the issue, was unaware of the conditional use permit (CUP) held by Jon Zimmerman, and did not understand why it was being considered for revocation. As a result, she was unsure whether she supported or opposed the proposed revocation.

Fahy-Gust provided background information to clarify the matter. She explained that two CUPs were in place for the property. The original CUP allowed for retail greenhouse sales, and a second CUP was later issued when the property was sold, allowing wholesale operations. Both permits remained in effect until a process was established to allow for the revocation of CUPs. Fahy-Gust noted that concerns had arisen regarding compliance with the conditions outlined in the permits. Following further discussion over time, Mr. Zimmerman requested to operate exclusively as a wholesale business and asked that the original CUP allowing retail sales be rescinded. Ms. Hoberg chose to withhold further comment until she had an opportunity to hear from other attendees.

Mark Stenberg, 7445 100th Street NW, Pine Island, spoke in favor of rescinding the conditional use permit (CUP). He stated that he believed Mr. Zimmerman was gracious in his willingness to give up the retail portion of his business. Stenberg added that this situation provides the Township with an opportunity to consider issuing interim use permits (IUPs) rather than CUPs. He expressed his opinion that IUPs should be used more frequently than CUPs.

Kim Rupprecht 7222 100th St NW Pine Island spoke in favor of rescinding the retail CUP. He understands that Zimmerman has indicated this is his preference.

Leah Verderame, 7245 100th St NW, spoke in favor of rescinding the retail conditional use permit (CUP). She stated that having a seven-day-a-week retail operation located near her residence has not been ideal.

Becky Bosch 7331 100th St NW Pine Island spoke in favor of rescinding the retail CUP and supports comments made prior to hers.

Mark Stenberg, 7445 100th Street NW, Pine Island, asked what the implications were for the remaining CUP allowing for wholesale operations as he feels there is a measure of unpredictability demonstrated by the owner.

Kory Weis, 7741 100th Street NW, Pine Island, asked whether birdseed would continue to be sold at the property. Fahy-Gust stated that birdseed would no longer be sold at the site. Weis also questioned the motivation behind the willingness to discontinue retail operations. Fahy-Gust explained that he had determined the retail business was not appropriate for the neighborhood. She stated that the plan, as presented to her, was for the business to focus on wholesale sales of trees, perennial plants, and shrubs. Fahy-Gust further explained that Mr. Zimmerman had been given the option of rescinding one of the two existing conditional use permits (CUPs) or applying for a new permit.

Leah Verderame, 7245 100th Street NW, asked whether discontinuing the retail portion of the business would allow Mr. Zimmerman to pursue agricultural tourism on the property, noting that she had heard him express interest in such an endeavor. Fahy-Gust explained that agricultural tourism is not authorized under the remaining conditional use permit (CUP).

Mark Stenberg, 7445 100th Street NW, Pine Island, noted that Mr. Zimmerman is a very creative individual. Stenberg asked whether Mr. Zimmerman would be permitted to conduct business through online auctions and whether such activity would be considered wholesale or retail. Fahy-Gust explained that customers are not permitted to come onto the property to make purchases. If Mr. Zimmerman were to conduct online auctions, the items would need to be delivered to the purchasers rather than picked up at the property.

#2 Fahy-Gust asked if anyone else would to speak in favor of rescinding the CUP allowing retail business.

Jeff Billman, 7730 River Heights Court, Oronoco, spoke in favor of rescinding the conditional use permit (CUP), particularly if doing so aligns with the property owner's wishes.

#3 Fahy-Gust asked if anyone else would to speak in favor of rescinding the CUP allowing retail business.

Astrid Hoberg 7730 River Heights Ct, Oronoco spoke in favor of rescinding the CUP.

Fahy-Gust called three times for anyone wishing to speak against rescinding the retail conditional use permit (CUP). No one in attendance spoke against.

#1 Fahy-Gust asked if anyone wanted to speak in general

Jan Rupprecht 7222 100th St NW asked for clarification regarding the requirement to live on-site. It is her understanding that the CUP for Wally's Garden required living on site and the remaining CUP does not contain this requirement. Fahy-Gust affirmed this to be correct. Mr. Hoberg chose to live on site.

#2 Fahy-Gust asked if anyone wanted to speak in general

Mark Stenberg, 7445 100th Street NW, Pine Island asked if on the wholesale CUP there is not requirement to live on the property. Fahy-Gust affirmed this to be correct.

Stephanie Witwer 6952 100th St NW had comments related to the trash dump that has been established on the property and is in view of many other neighbors and wants to be assured that the issue will be addressed and the trash dumb will be cleared. Fahy-Gust has addressed this issue and was told it would be cleared. The site will be visited during an upcoming road inspection.

Kim Rupprecht 7222 100th St NW Pine Island questioned if there are multiple trash sites. Fahy-Gust stated there is one dump site.

#3 Fahy-Gust asked if anyone wanted to speak in general.

Leah Verderame, 7245 100th Street NW, asked whether consideration had been given to the future issuance of permits and whether existing permits would be reviewed to ensure that issues associated with prior permits would not carry forward. Fahy-Gust explained that this situation was unique because there had been no established process for revoking an existing conditional use permit (CUP). She noted that CUPs run with the land and remain in effect when ownership changes. The original Wally's Gardens CUP included language stating that the permit would sunset when the owner no longer owned the property. However, this provision conflicted with state law because a CUP is attached to the land rather than the property owner. In contrast, an interim use permit (IUP) is granted to an owner. Fahy-Gust explained that the Planning and Advisory Commission reviews permit requests to determine which type of permit is most appropriate for each situation. For example, when a substantial investment has been made in a property, such as the construction of greenhouses, a CUP may be appropriate because it allows the property to be sold with the existing structures and amenities continuing to serve their intended purpose. If a permit is intended to allow activities based more on an individual's skills or qualifications, an IUP may be more appropriate. Fahy-Gust further noted that both CUPs and IUPs include review processes. A process is being developed and implemented to review both types of permits annually.

Mark Stenberg, 7445 100th Street NW, Pine Island, asked whether there would be any barriers to operating a wholesale cannabis business on the property. Fahy-Gust stated that she could not address the question because the public hearing was limited to consideration of the retail conditional use permit (CUP) revocation. Stenberg was invited to attend the next meeting if he wished to discuss the matter further.

Charis Stenberg, 7445 100th Street NW, Pine Island, asked whether noise regulations are in place and whether noise levels can be regulated. Fahy-Gust explained that operating-hour restrictions may be established for certain activities, such as gravel pit operations. However, there is no established method for measuring or enforcing specific decibel levels. Restrictions may address hours of operation, when noise can happen, and are considered by the Planning and Zoning Advisory Commission on a case-by-case basis.

Leah Verderame, 7245 100th Street NW, asked whether noise regulations are managed at the county level. Fahy-Gust confirmed that county noise regulations exist but noted that the activities occurring on the property would not have reached the applicable decibel thresholds.

Thomforde made a motion to close the public hearing. Andrist seconded. Motion carried 3-0.

Discussion among the supervisors followed.

Thomforde thanked those in attendance for coming forward and sharing their opinions. He acknowledged the efforts made to reach this point, including the work completed by the Township's

attorney. He noted that the original conditional use permits (CUPs) may not have been written as clearly as necessary. He recalled a state-level court case establishing that CUPs cannot simply be discontinued because they run with the property, as was the case with the original Wally's Gardens CUP. This led the Township to begin using interim use permits (IUPs), which have since become more prevalent. Thomforde expressed his appreciation to Mr. Zimmerman for agreeing to relinquish the retail portion of the business, including discontinuing the sale of birdseed and salt. Thomforde stated that he intended to vote in favor of rescinding the original CUP. Andrist also expressed support for the decision to discontinue retail operations while allowing the wholesale business to continue. He thanked those who attended the hearing and those who had been involved throughout the process. Andrist stated that he would vote in favor of rescinding the original CUP. Fahy-Gust also expressed support for rescinding the retail CUP. She noted that her preference would have been to issue a new CUP that addressed all identified concerns. She thanked those in attendance for their participation, involvement throughout the process, and support.

Thomforde made a motion to rescind the original Wally's Gardens conditional use permit.

Roll call vote:

Thomforde – For

Andrist -For

Fahy-Gust – For

Kosmicki will research the process for recording this change with Olmsted Count.

Andrist made a motion to adjourn, Thomforde seconded. Motion carried 3-0

Meeting adjourned 7:10 PM

Signed:

Signed:

/Signed copy on file/

Ann Fahy-Gust, Chair
New Haven Town Board
Date:

Bonnie Kosmicki
Township Clerk
Date: