

To the Shakopee Board of Adjustments and Appeals and Planning Commission,

My name is Clifford Stafford and my wife's name is Kathleen Stafford. We reside at 2328 Eagle Creek Blvd, Shakopee, and have done so since 1977. We are asking that the application for amendment to the Conditional Use Permit, #PC99 – 90, currently applicable to Sever's Corn Maze AKA Sever's Fall Festival be denied due to the following reasons:

The applicant obtained an amendment to the Conditional Use Permit dated July 8, 2010 that expanded the use of the Corn Maze originally approved on July 8, 1999. A letter included from Sever Peterson dated May 12, 2010 stated that "Our operation includes a corn maze and other fall festival activities including a straw bale maze, pig races, a corn pit, magic shows, wildlife shows, a petting zoo, pony and camel rides, food and refreshments, hay rides, and a pumpkin slinger." His letter also stated the maze was open weekends from mid-September until the first weekend in November on average. He additionally added that the maze operated during MEA, normally the third Thursday and Friday in October. The hours of operation were listed as 10:00 am until 6:00 pm. Sever, in his letter regarding the amendment stated the maze had been operating "the last eleven years."

The 2010 application for the CUP amendment was requesting the expansion to permit the very operations that Sever described in his attached letter so it seems reasonable to believe the maze had been operating in violation of the 1999 CUP. Sever mentioned a "Pumpkin Slinger" being part of his operation. A diagram of the property layout from 2009 posted by Severs Fall Festival also indicates these pumpkin slingers. On Severs Fall Festival Facebook page, dated August 25, 2010, it is stated "you're gonna love the corn cannons this year" and describes a video that is a little loud. The corn cannon shoots ears of corn. No corn cannon is listed in the 2010 CUP. We do not know if the corn cannon is still in use. On August 8, 2012 their facebook page states "We have good news! We are going to be open on Fridays this year. "That's right – a whole extra day of fun!" The hours of operation are shown as Friday 1-9pm, Saturday and Sunday, 10am -9pm. The 2010 CUP amendment application lists nothing to included the corn cannons or the addition of operating on Fridays. After the amended CUP was approved, the applicant added the corn cannon and the Friday hours of operation. Their Facebook page of August 27, 2012 states "One of the new attractions this year is the pumpkin blaster! (singular) "You can send pumpkins flying through the air further than ever before. Fun, right?" A total of six "blasters" have been in use.

The Facebook page from October 14, 2014 shows the hours of operation for the long weekend October 16 – 19 (MEA) as Thursday: 10 – 6p, Friday and Saturday 10 – 8p, and Sunday 10 – 6p. Friday and Saturday should have been until 6pm!

The site plan of May 18, 2010 shows the pumpkin slinger near two exit points on the East end of the site (near the petting zoo). The facebook page dated September 11, 2015 appears to show a pumpkin blaster where the fire exit was previously shown. Attached photos show posts with netting in that area.

On October 1, 2015 the facebook page shows Severs October Fest Friday October 2nd from 5pm – 9pm with Badger Hill beers available for purchase. Friday October 23rd there is "Severs Halloween Bash" from 5pm to 9pm, with "Beer, food, Rock N' Roll with an after party at Turtle's in Shakopee.

In 2014 and 2015 Kathy contacted the corn maze via telephone and spoke to someone who stated he was a family member, asking them if it were possible to relocate the pumpkin blasters to the other end of the property. Both times he stated they would see what they could do. Nothing was ever changed to alleviate the noise we could hear nor did we receive a call from anyone connected to maze/festival wanting to discuss our concerns.

On October 2nd 2016 Kathy posted a review on the Maze Facebook page describing the pumpkin particles we were finding on our car and truck parked in our driveway. The particles were also coating our house. She also described the noise that we could hear, even with our windows closed, and how bothersome it was. (see attached copy of the post) There was a response from Nicola Peterson describing how she drove along Eagle Creek Blvd. and asked several people that were outside if they had problems with pumpkin particles on their vehicles and/or homes. Nicola said the people stated "no", they had not. Nicola stated she felt it was highly unlikely that any particles from the pumpkins could reach our home due to the netting at the pumpkin blaster firing area. She then offered to leave two tickets with Kathy's name on them at the maze so we "could enjoy a beautiful day at the maze." Kathy declined the tickets saying that she wanted to enjoy our yard and being outside but the noise made that impossible. A man commented under Nicola's post that he also had pumpkin particles on his vehicles. Nicola has since deleted her comments regarding Kathy's review which also deleted the other post from the man regarding the pumpkin particles.

On different days we have counted the number of times the cannons (pumpkin blasters) were fired and have found the average to be 25 times a minute, times 60 minutes, equaling 1500 times an hour. That would mean that on a typical Friday, being open from 1pm-8pm, the blasters fire 10,500 times. On Saturdays it would total approximately 15,000 times and Sunday 12,000 times. The times the shooting was timed was done earlier in the day before the busy times.

I have spoken to a long time neighbor who is friends with Sever Peterson. The neighbor stated he too can hear the noise of the blasters but he and his wife have "learned to live with it because Mr. Peterson is a friend." He added that we could probably hear it better since our yard is at a higher elevation than his. His home is a rambler style whereas ours is a split level. He also has mature trees surrounding his property.

I am a disabled Vietnam combat veteran who was around large artillery daily and I suffer from PTSD. Since these pumpkin blasters have been in use, I have described the noise and how it affects me negatively to a VA counselor. (see attached letter) The effect on me also creates stress on Kathy, upsetting her. Due to the continuous noise from the blasters we have been forced to leave our home each day because of the added stress and the effects it has on us.

We have contacted city staff at various times regarding Severs operation and the problems we were having. Staff informed us that Severs had a CUP to operate. The CUP did not show the pumpkin blasters or revised hours of operation. In October of 2016 we showed staff pictures of the pumpkin blasters being used at Severs. We also showed them a video taken from our front and back yards so staff could be aware of the noise issue we were experiencing. The topography of the land behind our home which is a hill and trees redirects the sound back towards our home. Staff advised Severs Corn Maze that the pumpkin blasters could not be used after the 2016 season. Now, after operating in violation of the prior CUP amendments, he requests the changes he has made on his own with no regard for current residents well being or comfort.

On Friday, 8/25/17, I decided to try and gather some signatures of support from nearby residents. I was only able to obtain one individuals support that evening out of two visits. The following day that person informed me that Sever Peterson and Gene Hauer had come to his home asking him to support the pumpkin blasters. They did not come to my home. A letter was sent by Nicola Peterson inviting the neighbors to Severs Corn Maze to discuss any concerns, suggestions, or questions that they may have concerning this aspect of othe family operation. We were not on the mailing list.

We have decided that the support or non-support by others in the area really are inconsequential since our lifestyle has been affected so negatively and our physical and mental well being are severely affected when the pumpkin blasters are in operation. At youtube.com, there is a video of one of Severs pumpkin blasters in use. There are six blasters in use. Another video called " Pumpkin blasters at Dell'osso Farms 2011—Alvin", best demonstrates what the pumpkin blasters a Severs sound like.

We have always been supportive of Severs Corn Maze/Fall festival. We have visited with family members on several occasions. We have had no issues until the use of the pumpkin blasters. We have never been contacted by the Peterson family to address our concerns, other than the response on Facebook which was deleted.

We request that the amended CUP regarding the use of the pumpkin blasters be denied because criteria 1 of a CUP cannot be met. (see) City Code 151.011 Conditional Use Permits. (A) Criteria for granting conditional use permits. **In granting a conditional use permit, the Board of Adjustment and Appeals shall consider the effect of the proposed use upon the health, safety, and general welfare of the occupants of surrounding lands and the city as a whole. The Board of Adjustment and Appeals shall not grant a conditional use permit without making the following finding: (1) The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair values within the immediate vicinity.**

Additionally City Code 130.45 Noise Elimination and Noise Prevention states in section B, **Noises prohibited. (1) General prohibition. It is unlawful for any person to make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any persons or precludes their enjoyment of property or affects their property's value. This general prohibition is not limited by the specific restrictions of divisions (B)(2) through (B)(12).**

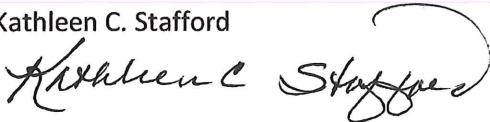
We also request that the days/hours of operation at Severs Corn Maze as stipulated in the 2010 CUP be adhered to by the Peterson family.

Sincerely,

Clifford D. Stafford



Kathleen C. Stafford



VA



U.S. Department of Veterans Affairs
Veterans Health Administration
Minneapolis VA Health Care System

One Veterans Drive
Minneapolis, MN 55417
www.minneapolis.va.gov

August 22, 2017

To Whom it May Concern:

Mr. Clifford Stafford is a Vietnam veteran living at 2328 Eagle Creek Blvd Shakopee. He is being treated for combat PTSD. He has asked that the following situation be brought to your attention.

Over the last several years, he has been bothered by sounds of pumpkins being shot from a cannon at a local park. It occurs at this time of the year. It creates a great deal of stress and anxiety for him because it reminds of cannon fire from Vietnam. Apparently the cannon is fired on an ongoing basis, hence he receives little relief from the noise. It causes stress and an ongoing preoccupation with his combat in Vietnam. It may even affect other veterans in the area.

He is hopeful that he could be contacted by an official who is aware of this situation and that a discussion could be held regarding alternative plans.

Thank you for your attention to this.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Greeman".

Mike Greeman, LICSW
Minneapolis VA Health Care System
612-467-2583

“ Pumpkin Blasters ”

To Shakopee City Council & Board of Adjustments and Appeals

I (we) reside near the Sever's Corn Maze located between Canterbury Park and Eagle Creek Blvd.. I (we) are aware that, as part of Sever's operations, there are machines identified as " Pumpkin Blasters " or "Pumpkin Cannon's" which are used by patrons to launch pumpkins at targets for a fee. I have been informed that the Shakopee Board of Adjustments and Appeals will be meeting on Thursday, September 7, 2017 to consider an application by Sever's Corn Maze for an amendment to their Conditional Use Permit to allow a pumpkin cannon shooting device.

I (we) are aware that, Sever's has been using these machines for several seasons and that, due to the loud noise when fired and the accompanying pumpkin particles spreading to nearby residences, the use of the machines constitutes a " Public nuisance" as described in Shakopee City Code 130.11(3) "Allowing noise, odors, vibration, smoke, air pollution, liquid or solid wastes, heat, glare, dust or other adverse influences that in any way have an objectional effect upon adjacent or nearby property." Shakopee City Code 130.45 B1, Noises prohibited, General prohibition is also applicable to the use of the " Pumpkin Blasters AKA Pumpkin Cannons." Because of the alleged violation of city code, I (we) request that the application for amendment be denied to Sever's Corn Maze.

NAME

ADDRESS

SIGNATURE

Howard BAZINET

2350 v.c.B



Nancy Stafford

2328 Engle Ck P.W.

Kathy Stapp

Суров

2328 EAGLE CREEK BLVD.

CLIFFORD STAFFORD

FUL

MOST RECENT

STAR RATING

Review put on Severs Facebook page.
Nicola Peterson delete her response and another
person's response to her response.

**Kathy Hunley Stafford** reviewed Sever's Fall Festival —

October 2, 2016 ·

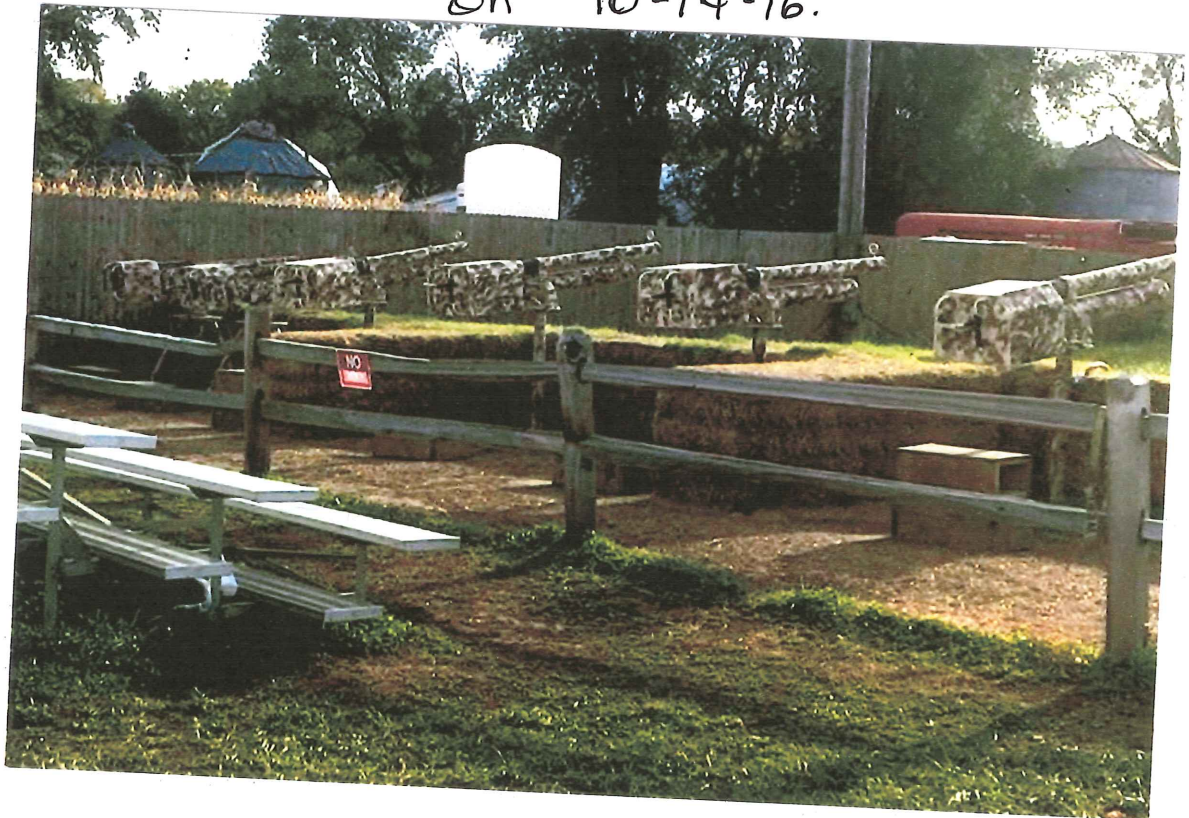
We live near Severs Corn Maze. We have to listen to the pumpkin blasters the entire time they are open. The pumpkin blasters are compressed air shooting them. Hours of this noise of sometimes 25 times a minute is very annoying and is a nuisance to the neighborhood. We have pumpkin particles stuck to our home and our vehicles that are in the driveway. We have asked them nicely the past two years to relocate the blasters to minimize the impact. But, they ignore our request. The blasters were added several years ago and I am sure not part of the original conditional use granted by the city. In fact, the continuous noise fits the city code as a nuisance. We should not to have every fall weekend ruined by a business that is so inconsiderate. We will be checking with the state of MN Pollution Control next.

[Like](#) [Comment](#) [Share](#)

Kathy Hunley Stafford We have scraped pumpkin particles off our car and truck. We noticed it last year and again this year. We did not call this year. We are west of the farm, across from the buildings next to the farm. We had asked that the blasters be moved away from the homes and closers to Canterbury. The noise is very bothersome. Impossible to enjoy being outside. In fact, we can hear it in our home with the it closed up. I have a beautiful yard and would love to enjoy a nice fall day in it. We talked to a man who said he was family both time asking if they could be relocated. We were told they would look into it, as they did not want to bother the neighbors. All we would like is the blasters relocated. We can hear the loading and firing. The particles are like small flex of paint.

[Like](#) · [Reply](#) · October 2, 2016 at 5:05pm[Write a comment...](#)

Pictures taken at Seven Corn Maze
on 10-14-16.





Pictures taken at Severs Corn Maze 10-14-16



Letter sent to neighbors

Sever's Fall Festival

www.seversfallfestival.com • 952-270-MAZE • seversfallfestival@gmail.com

Sever's Fall Festival
15900 Flying Cloud Drive
Eden Prairie, MN 55347
(Mailing address only)

August 21, 2017

To Whom It May Concern:

My name is Nicola Peterson and I am part of the family that owns and operates Sever's Fall Festival. Sever's Fall Festival is located next to Canterbury Park in Shakopee, Minnesota. We have been in business since 1997 and have been in our current location for 19 years. My in-laws, Sever and Sharon Peterson, started the business 21 years ago as a way to diversify their farming operation and are still very much involved today.

Prior to the start of our 2017 season, which begins September 8th, we are amending our conditional use permit (CUP) with the city of Shakopee. We have held a CUP since 1999 and amended it in 2010 to include additional activities at our event as we've grown to become more of a fall festival in addition to the original conception of the corn maze. This current amendment application will address our pumpkin shooting range which propels mini pumpkins at targets in a netted field. Currently, the nets are approximately 40' tall and surround the entire range area. In order to mitigate any sound or particle concerns created by the pumpkin range, we have a long list of installation plans that include additional netting and sound barriers.

It is of utmost importance that we maintain our good neighbor status that we have enjoyed in the area for almost two decades and thus, we'd like to invite our neighbors to discuss any concerns, suggestions, or questions that you may have concerning this aspect of our family operation. The meeting will be held on site at Sever's Fall Festival on Monday, August 28, 2017 at 5:00PM. Sever's Fall Festival is located just west of Canterbury Park. Canterbury Park's address is 1100 Canterbury Road South in Shakopee.

Please feel free to park and meet in front of our large Sever's wooden façade. My brother-in-law, Mitch Michaelson, and I will both be there.

Sincerely,

Nicola Peterson
Sever's Fall Festival

Pumpkin Slingers



Sever's Fall Festival

Like This Page · August 14, 2017

Can't wait to sling some pumpkins th

Like

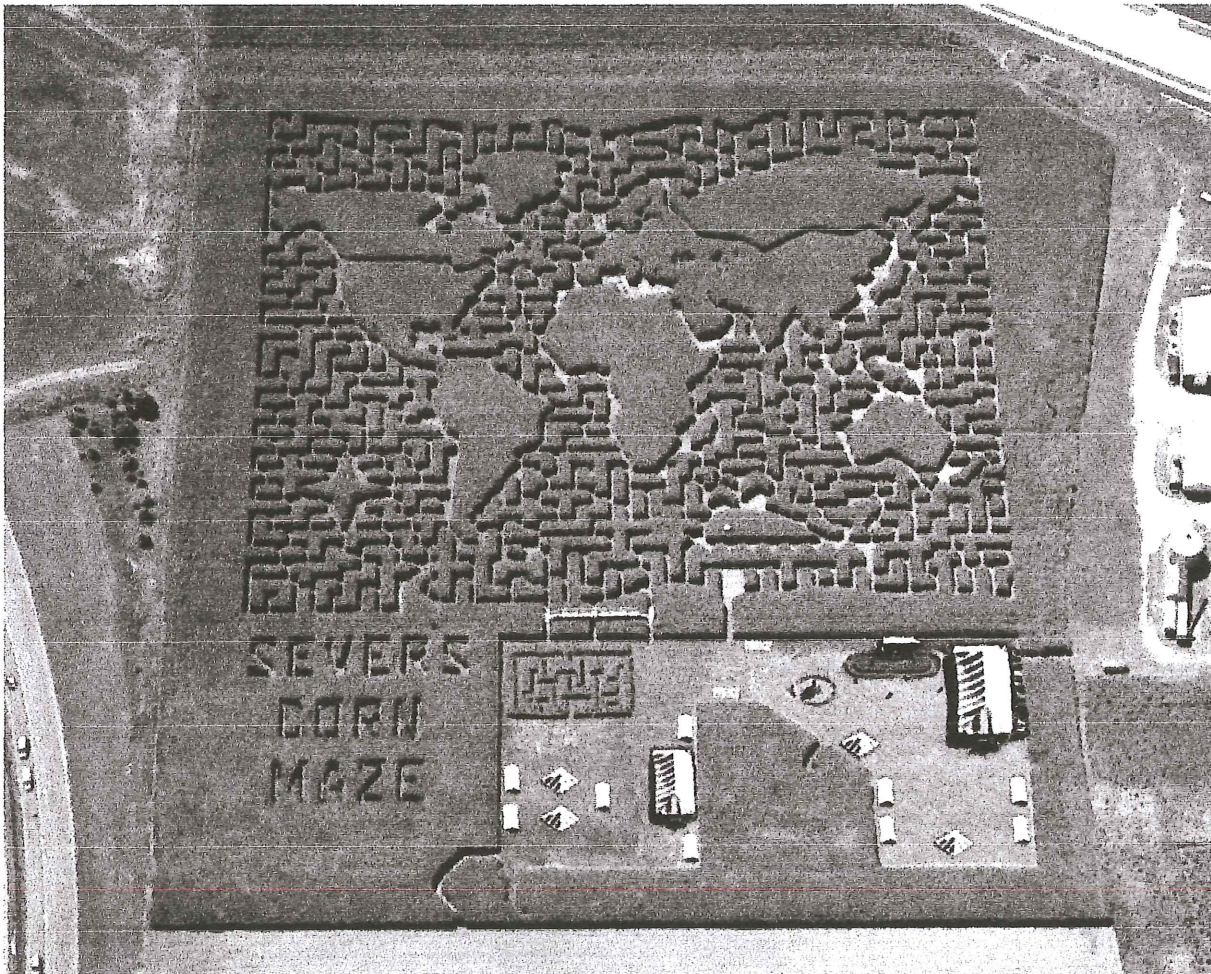
Comment

Share

20



Write a comment...



Sever's Fall Festi
Like This Page · Sept

Like Comment



Write a comment...

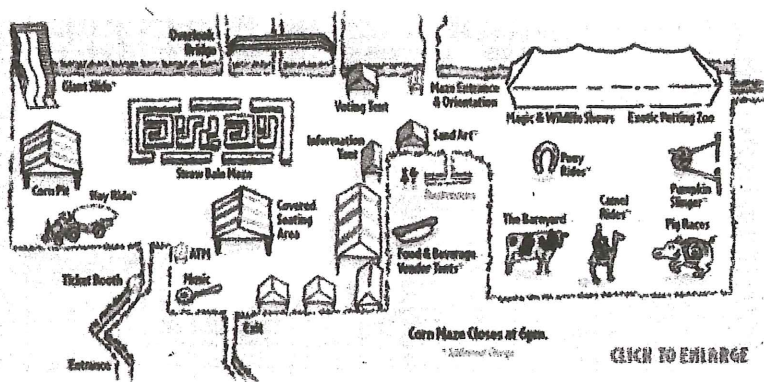
People You May Know



Melissa Sando
2 mutual friends
Add Friend

Prior to 2010 CUP

Sever's Fall Festival
Like This Page · April 13, 2009 ·



Like Comment Share



Write a comment...

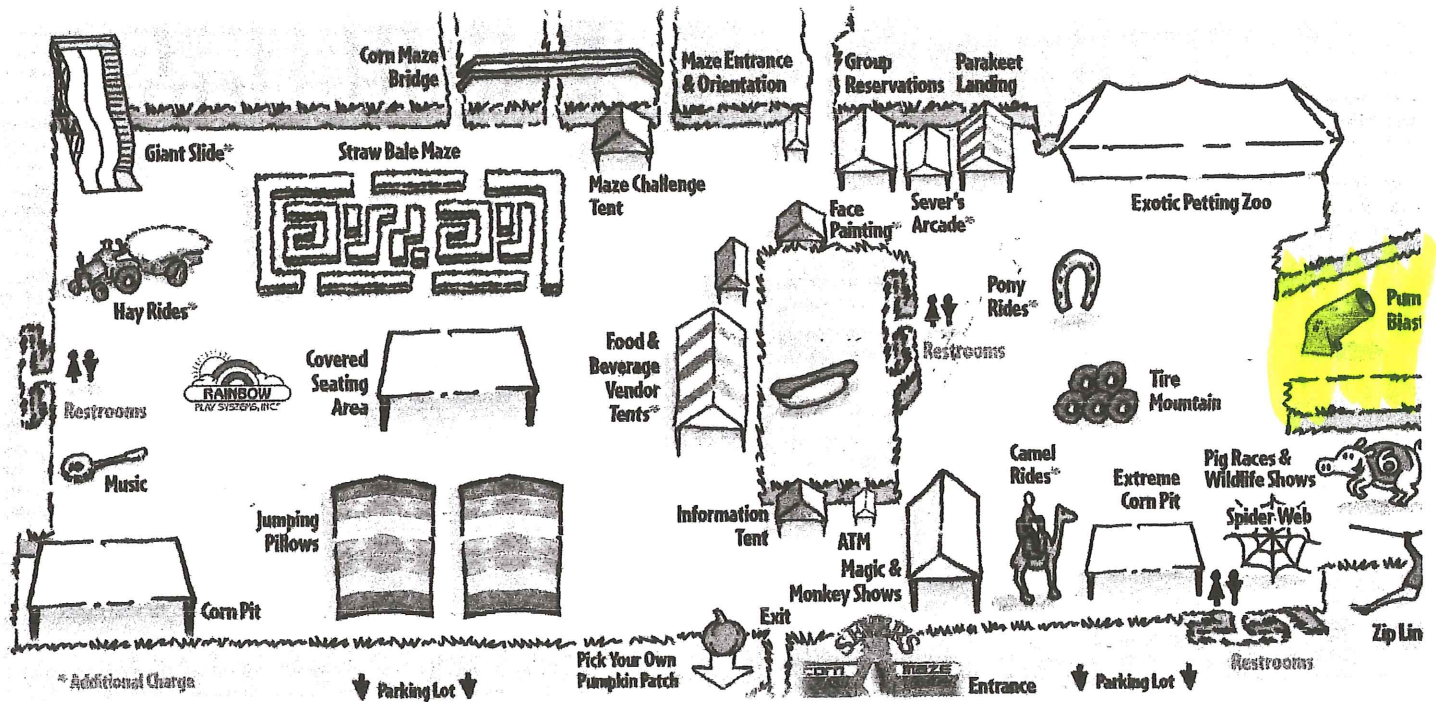
People You May Know

See All



Michael Lano
3 mutual friends
Add Friend

September, 11, 2015



Sever's Fall Festival

August 25, 2010

You're gonna love the corn cannons this year. (This video is a little loud)

Not shown on Site plan
May 18, 2010

The Corn Cannon

TimesCast host Tad Dickens and cameraman Daine Vineyard travel to Montvale to shoot off an air-pressure cannon. The ammunition? Ears of corn. Those suckers can fly pretty far. See the whole thing here http://blogs.roanoke.com/vlog/2006/09/timescast_91506.html

GDATA.YOUTUBE.COM

Sever's Fall Festival

August 8, 2012

We have good news! We are going to be open on Fridays this year. That's right- a whole extra day of fun!

Sever's Corn Maze & Fall Festival 2012 Dates, Hours & Pricing

Sever's Corn Maze & Fall Festival is open weekends; Friday 1-9PM, Saturday and Sunday 10AM-9PM.

SEVERSCORNMAZE.COM

Sever's Fall Festival

August 15, 2012

Businesses: have you planned your fall company retreat? We are open on Fridays this year and love to accommodate groups!

GROUP RATES AT THE CORN MAZE

Birthday parties, scouting groups, church groups and more are welcome!

All Groups

- Groups must be 26 or more people
- Rates are \$10 per person and include the corn maze, straw bale maze, giant corn pit, live music, exotic petting zoo, magic shows, wildlife shows, pig races, and the farm barnyard. **Coupons are not valid with this rate.** Additional costs include food and beverages, hay rides, the pumpkin slinger, the giant slide, camel and pony rides.
- Chaperones are required for groups under the age of 16

Like Comment Share

Sever's Fall Festival

August 27, 2012 ·

One of the new attractions this year is the pumpkin blaster! You can send numerous pumpkins flying through the air further than ever before. Fun, right?

Pumpkin Blasters



Sever's
Like This

We are loving
- the mighty p

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People You May

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Pumpkin Blasters

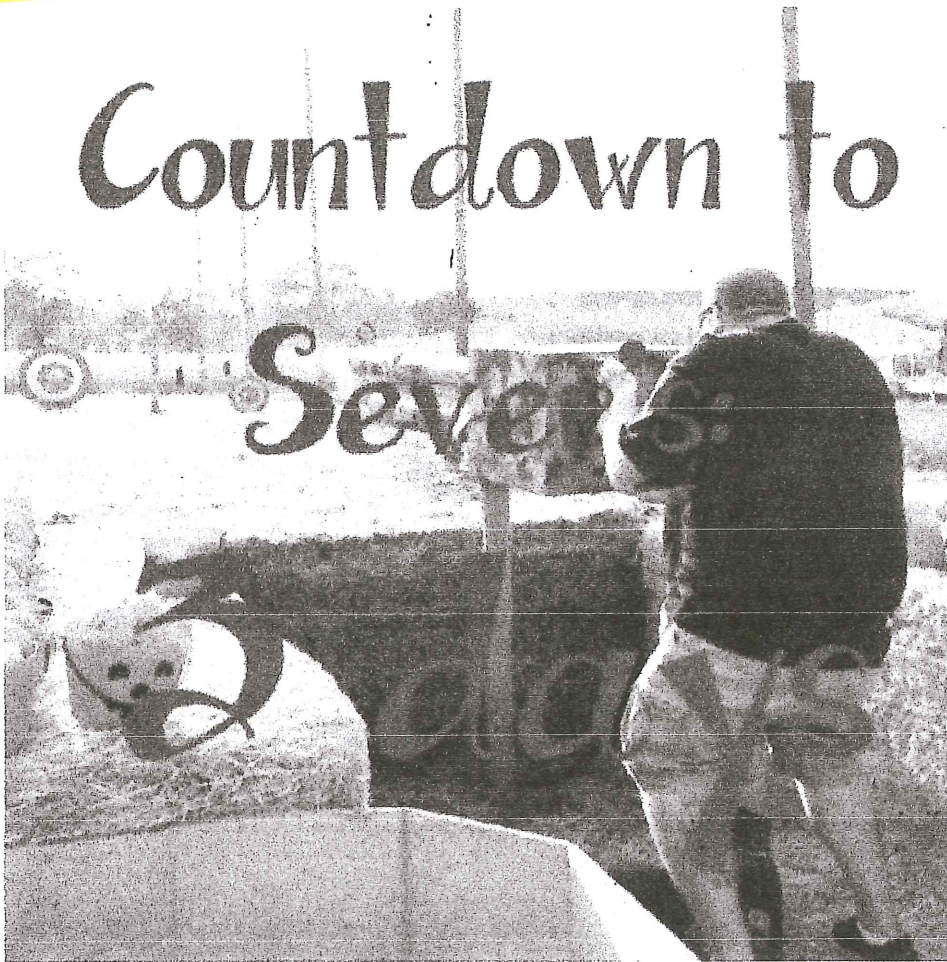


Sever's Fall Festival

September 10, 2013 ·

Pumpkin Blasters

Who's ready to blast some pumpkins?



ALL ABOARD THE SEVER'S EXPRESS

Weekend hours:

Friday: 1 - 8pm

Saturday: 10 - 8pm

Sunday: 10 - 6pm

Enjoy the extreme corn pit, giant slide,
jumping pillows, exotic petting zoo, magic
shows, pumpkin blasters and MORE!

SEVERSCORNMAZE.COM

Sever's Fall Festival

Like This Page · September 24, 2014 ·

With so many activities, we are much more than a
corn maze! See you this weekend!

Like Comment Share

28



Write a comment...

People You May Know

See All



Michael Lano
3 mutual friends

Add Friend

Sever's Fall Festival

October 14, 2014

We are open for the long weekend October 16-19. Come hangout with us!





Sever's Fall Festival

Like This Page · October 1, 2015 ·

Spend tomorrow evening at Sever's Oktoberfest!
There will be music, food, games, and fun fall activities!

Like · Comment · Share

9

3 shares



Write a comment...

People You May Know

See All



Melissa Sando
2 mutual friends
[Add Friend](#)



Sever's F:
Like This Pa

Tomorrow we are t
5pm - 9pm! Get yc
out with us! #Seve

Like Comm

5

2 shares

Genevieve P:
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People You May Kn

Randy Pe
4 mutual f
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