

Neighborhood Meeting Minutes for Conditional Use Permit at 2205 Wildwood Dr, Shakopee (Property Titled under Serendipity Summit, LLC, Owned by Jim and Nancy Mae Schreiner)

June 28, 2023

Shakopee Public Library

235 Lewis St. S.

Shakopee, MN 55379

The meeting commenced at 6:33 p.m. after all attendees had signed the attendance form.

Jim Schreiner introduced himself, his wife and co-owner Nancy Mae Schreiner, and Rebecca Coffin, legal counsel, who served as note taker. Mr. Schreiner gave a general overview of Residential Assisted Living facilities (RAL), Nancy's personal experience in taking care of aging parents during this process, and the challenging journey to become a licensed assisted living facility. He summarized how the home was updated and renovated, and that even with the necessary modifications to simplify senior living AND be compliant with MN Department of Health statutes for the property, that the home still remained a fully functional, private residence. Mr. Schreiner also detailed the challenging licensing process through the MN Dept of Health, the many approvals and inspections by city and county officials, and the State Fire Marshall, noting that at no time had anyone advised or questioned the need to secure a Conditional Use Permit from the City. Mr. Schreiner asked for public comments, questions and indicated he and his wife would be happy to discuss the business and answer questions.

Public comments began at 6:42 p.m.

Mr. Jordan Malay introduced himself by name and indicated he was the President of "The Association" – this "Association" was not specified any further. He then stated very aggressively that this "Association" was united in adamantly opposing a residential home being used as a for-profit business. He indicated that there are binding covenants stating as such, and that "everyone here agreed to, including you" (the Schreiners) which do not allow a business to operate in a residential home. He then stated that this group was determined to see us cease operations in the neighborhood, and that they intended to use all legal means necessary to that end. His final statement was "We have no more comments or questions", whereupon ALL neighbors in attendance uniformly stood up and walked out of the meeting, refusing to entertain any further discussions or explanations. Several walked by us in the front of the room with angry glares.

Public comments ended abruptly, as described above, at 6:43 p.m. and the meeting closed.

SUPPLEMENTAL COMMENTS BY OWNERS OF 2205 WILDWOOD DRIVE

As you can see from the minutes, it is clear that this portion of the residents of Whispering Oaks Estates are angrily and defiantly opposed to our use of the property. A few comments in response to this limited, direct feedback:

1. Not a single attendee offered any feedback or claims on how our use of our property would be “injurious to the use and enjoyment of other property in the immediate vicinity . . . nor substantially diminish or impair property values within the immediate vicinity”.
2. As stated in prior supplemental information, NO covenants or Active HOA were conveyed to us by the Seller. We only began taking the “covenants exist” claims seriously when a few of the neighbors began complaining and making threats a few months ago.
3. Even if we had been made aware of the Covenants Declaration at the time of closing, there was NO active HOA in place to whom we could request an exception or variance from any stated declarations.
4. As also stated in our prior supplemental data, the Federal Fair Housing Act and the American Disabilities Act specifically speak to the protected rights of Senior citizens needing assistance as “disabled or handicapped”, and case law around the country has consistently struck down Business Restriction clauses in HOA Declarations as discriminatory against this protected class, in that, such statements prohibit their right to live where they wish, even if it requires provided care services.
5. The “Association” referenced by Mr. Malay undoubtedly refers to a very recently, and rapidly, formed Neighborhood Association that had it’s first formation meeting last week (See attached notice). It would seem clear that this group was formed to resemble a governing HOA, even though there is no indication or confirmation to date that ALL property owners in the Whispering Oaks Estates are participating in this new group. Leave it to say there are MANY legal arguments about the purpose and legal powers of this new Association relative to the original Covenants Declaration.

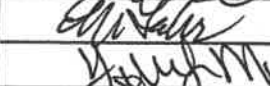
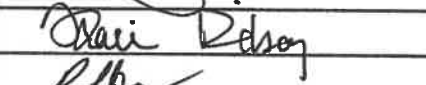
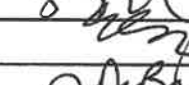
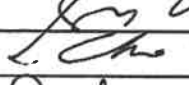
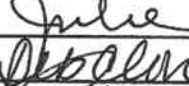
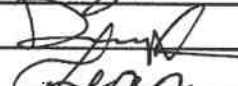
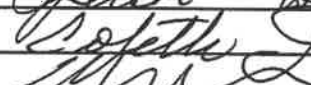
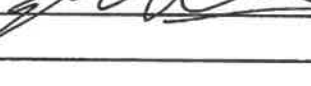
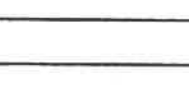
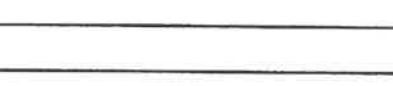
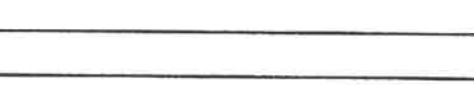
While there were no direct statements made suggesting “injurious use” from the neighborhood meeting, it is clear from the meeting that we and our 5 senior residents are NOT welcome in this neighborhood. Ironically, we find this posture to be an egregious and serious injury to OUR PROTECTED RESIDENTS’ rights to the use and enjoyment of the property as tenants, AND equally injurious to our use and enjoyment as property owners. Furthermore, it is blatantly discriminatory under Federal law.

All that said, we will now need to evaluate if we have the ability, energy or heart to endure these hostile, threatening legal actions. As such, our request remains as stated previously – approval of the CUP request OR if the BOAA chooses Denial, then do so with appropriate time to secure legally mandated Closure Procedures as required by the MN Department of Health.

Thanks for your time.

Jim & Nancy Schreiner

Neighborhood Meeting Sign in Sheet
 Conditional Use Permit - American Heritage Assisted Living
 2205 Wildwood Drive, Shakopee, MN 55379
 June 28, 2023 Shakopee Public Library 6:30pm

Print Name		Signature
1	AL & PATTY MIGNONE	33 
2	Keith & Jillayne Meyer	34 
3	Suzanne Lahr	35 
4	MILES LAHR	36 
5	Heather Mellem	37 
6	Ann & John Truetel	38 
7	Nelli Thompson	39 
8	STEVE & TRACI RIBAR	40 
9	ALEX RACHA	41 
10	Jordan & Maria Maylay	42 
11	SARA MAIRAS	43 
12	Elizabeth MAAS	44 
13	Pat & Jenn DUBRE	45 
14	Chris & Kelly Smith	46 
15	Scott MAURA	47 
16	Chad & Christine Helgens	48 
17	Jake TeSlaa	49 
18	Deb Clough	50 
19	John Clough	51 
20	Quang Tran	52 
21	Duy PHAM	53
22	Lear Hedberg	54
23	Collette Jorgensen	55
24	Eric & Jennifer Gilbertson	56
25		57
26		58
27		59
28		60
29		61
30		62
31		63
32		64