



## *Citizen Advisory Committee Strategic Vision Town Forum Update*

On Tuesday, October 2, 2007, a second township forum was held at the Town Hall to share the current draft proposal of the Township's strategic vision from the Citizen Advisory Committee (CAC). This committee has been working to create this draft document since August 2006.

The proposal suggests that Eureka Township intends to maintain, for at least the foreseeable future, a rural and agricultural environment characterized by farms, private and public open space, very low density, non-farm housing with private utilities, and a small number of businesses including home occupations and agriculture-related enterprises.

Opportunities for well-planned urban development will be considered by a subsequent plan and implemented if or when regional sanitary sewer service is made available (probably after the year 2030) and Eureka potentially incorporates as a municipality. Until that time, the present nature of the township will be generally maintained and future options protected.

### **Objectives of the Proposal**

1. Protect agriculture and farm operators from development that may contribute to the loss of farmland, land use conflicts and/or nuisance complaints.
2. Limit the subdivision of the township's best farmland for housing and other non-farm land uses.
3. Allow limited non-farm development provided that the impact on farming is minimized.
4. Allow owners of large agricultural tracts to gain revenue by selling housing rights.
5. Protect high quality natural resources.
6. Avoid excessive, costly local service demands resulting from land development.
7. Protect opportunities for efficient and cost-effective land development for the time when public sewer and water services may become available.
8. Create a plan that is understandable by citizens.
9. Respect landowners' rights to use their land in a way that does not significantly harm others' property nor contradict the community interests stated above.
10. Be fair and base the plan on objective criteria.
11. Protect Eureka Township's independence as a governing body in determining its own future.

### **Highlights of the Proposal**

- Maintain "native" housing rights at one per quarter-quarter section plus current legal building sites
- Create and encourage clustering of home sites up to a density of five per quarter-quarter section, up from the current limit of four.
- Create up to three *additional* new "reserve" housing rights for landowners at thresholds of 70, 105 and 140 acres. This is a compromise between the current rights based on one per quarter-quarter and the number of additional rights that two per quarter-quarter zoning would generate. The compromise formula limits the number of additional rights for large, medium and smaller landowners. Some small landowners would not get an additional right under two per quarter-quarter, either, due to two or more houses already existing in some quarter-quarters. There are also split-ownership quarter-quarters where a new right would be available to whoever asked for it first, which could be a very small landowner. At this time, granting housing rights to very small owners does not help agricultural preservation and reduces the market for those desiring to sell housing rights.

*CAC – Strategic Vision Town Forum Update continued on next page*

### **Eureka Township Supervisors**

Meet monthly, 2<sup>nd</sup> Monday, 7:00 p.m.

Dan Rogers, Chair  
952-469-3739, term to 3/09  
Jeff Otto, Vice Chair  
952-469-8561, term to 3/10  
Corey Behrendt, term to 3/09  
952-985-5411  
Gloria Belzer, term to 3/08  
612-202-5821  
Brian Budenski, term to 3/08  
952-292-6028

### **Eureka Planning Commission**

Meet monthly, 1<sup>st</sup> Monday, 7:00 p.m.

Mike Greco, Chair  
952-469-8418, term to 4/08  
Sharon Buckley, Vice Chair  
952-469-2290, term to 4/09  
Kenny Miller, term to 4/10  
952-469-4803  
Ken Olstad, term to 4/08  
952-985-7248  
Nancy Sauber, term to 4/09  
952-469-5146

### **Township Contact, Clerk/Treasurer**

Nanett Champlain, 952-469-3736  
Fax 952-469-5525

### **Town Hall Office Hours:**

Monday, 10:30 a.m. – 2:00 p.m.  
Thursdays 10:30 a.m. – 2:00 p.m.

At other times, calls are transferred to voice mail; all calls are returned.

- for general information
- to be placed on meeting agenda
- for permit information

**E-mail:** [eurekatn@frontiernet.net](mailto:eurekatn@frontiernet.net)

**Website:** <http://eurekatownship-mn.us>

- official meeting minutes
- ordinances, calendar, etc.
- permit applications

### **Township Roads:**

Brian Budenski 952-292-6028  
Jeff Otto, 952-469-8561

**Emergency 911:** ambulance, police, fire  
**(non-emergency 651-437-4211)**

**Official Notices** are posted on the bulletin board located on the south (parking lot) side of the Town Hall, 25043 Cedar Ave. and published in ThisWeek Life and Times newspaper.

**Editor:** Jody Arman-Jones, 651-463-2876

**Mailings:** Georgie Molitor

### **CAC – Strategic Vision Town Forum Update continued:**

- Most housing rights would be salable and transferable within the township up to the increased density of five per quarter – quarter section, subject to certain environmental sensitivity issues.
- Preserve the basic *zoning* of one per *quarter-quarter section* as required by State statute to maintain eligibility and opportunity for landowner participation in the Metropolitan Agricultural Preserves Program. Note that Eureka and many other townships have had the ability to *cluster* up to four houses for many years. This feature does not break eligibility as long as the specific *acreage* in the program is not developed to a density of more than one house per *40 acres*. For example, if a given quarter-quarter section has 10 acres of a landowner's 40 acre total under Ag Preserve Program, the remaining 30 acres in that quarter-quarter section may accept additional houses clustered and not jeopardize the eligibility of the 10 acres. This specific example has been reviewed and confirmed with a specialist with the Metropolitan Council involved with administering this program to be sure we were interpreting the actual statute language correctly. As recommended at the forum, we will follow-up to have this documented for Township records.
- Land parcels for housing need only be large enough to accommodate at least two on-site wastewater systems, a well, a house, a garage and a storage structure while observing all normally required setbacks, as is required by State statute. Thus, the minimum parcel size will vary depending on soil conditions. Small parcels would be encouraged, and the restriction of landlocked building parcels would be removed to help keep options open for higher density development in the future and increase the flexibility to preserve agricultural land by building on land less suitable for agriculture.
- Shared driveways will be allowed and encouraged for the same reasons as above.

The full document is available on the Township website. Comments are welcome and encouraged, see the Township website for a comment form. The CAC will meet on October 16, 2007 to finalize the proposal, and then present it to a joint meeting of the Town Board and Planning Commission on October 30, 2007. A Town Board approved plan will then be used to update the Comprehensive Plan, due to the Metropolitan Council in 2008. See Planning Commission Message below for “next steps”.

### ***PLANNING COMMISSION MESSAGE***

As Yogi Berra once said, “You’ve got to be careful if you don't know where you're going, because you might not get there.” One way communities can ensure that they know both where they’re going AND how to get there is to maintain a good comprehensive plan. The planning commission is currently reviewing and updating Eureka’s comprehensive plan and would like to answer frequently asked questions about the process.

**What is a comprehensive plan?** A comprehensive plan is a written document that identifies the goals, objectives, and policies that guide the long-term growth and development of a community. The Metropolitan Council requires every township, city, and county in the Twin Cities metropolitan area to have a comprehensive plan.

**Why is the township updating its comprehensive plan now?** By state statute, communities are required to update their comprehensive plan and submit it to the Met Council for review every 10 years in the years ending with an 8. Eureka’s update is due to the Met Council no later than December 2008.

**What requirements does the Met Council have for a community’s comprehensive plan?** The comprehensive plan must address the issues of land use, transportation, water resource management, and parks and open space. In addition, the plan must be consistent with both the Met Council’s 2030 Regional Development Framework and its “system statement” for Eureka Township.

**How will the update process work?** The update process formally began with the appointment of the Strategic Vision Citizen Advisory Committee (CAC), which last September started work on a “vision” for the Township. The CAC is wrapping up its work and will submit its final report to the planning commission and town board on October 30. The planning commission is then responsible for taking this report, as well as reports from previous citizen task forces and input from the public, and preparing a draft comprehensive plan for the Township. Citizens will continue to have opportunities for input—through the township website, at public meetings, and possibly through additional opinion surveys.

The rest of the process will follow this general schedule:

- Spring 2008—Planning Commission submits draft Comp Plan to Town Board for review
- Summer 2008—As required by law, draft Comp Plan submitted to neighboring communities, school districts, watershed districts, and Dakota County for comment; Township revises draft based on comments received
- Summer/Fall 2008—Public hearing on the Comp Plan
- Fall 2008—Township approves final draft of Comp Plan for submission to Met Council no later than December 2008
- Spring/Summer 2009—Met Council has 240 days to approve or reject the Comprehensive Plan
- Summer/Fall 2009—Township formally adopts approved Comp Plan and begins update of ordinances to implement it (or, if the Met Council rejects the plan, continues revising it until the Met Council approves)

### ***THANK YOU'S***

**Carolyn Papke** – Please share a very warm and sincere thank you with Carolyn Papke as she “retires” from her position as editor of *Eureka! The News*. Her dedication, efforts, and many talents will be sorely missed. The Township is fortunate that one of her special gifts remains with us despite her departure in the form of the Eureka Township masthead, or logo, which she designed. Best wishes to Carolyn and Bob Papke in all future endeavors.

## *Business Ads by Residents and/or Landowners in Eureka Township*

This is not meant as an endorsement of products, services or business status by Eureka Township. Eureka landowners and/or residents who wish to advertise their businesses in this newsletter, may place a "business card ad" for the price of \$35.00 per quarter or \$125.00 per annum. Any revenue obtained will be applied to the cost of printing and mailing the newsletter. Contact the Newsletter editor at 651-463-2876

**Carol S. Cooper, Attorney at Law**  
26437 Galaxie Ave., Farmington, MN 55024

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## ***EUREKA TOWNSHIP ORDINANCES - DID YOU KNOW...***

The Minnesota Association of Townships (MAT) recommends periodically reviewing township ordinances to ensure they remain up-to-date and serve the interests of the community. The last such review occurred in spring 2005. The planning commission and town board are currently conducting another review of Eureka's ordinances. A first round of updates was adopted in August 2007. Most of the changes fixed typographical errors, replaced vague language, and fixed loopholes and oversights from the 2005 review and update. Below is a summary of these updates (a complete copy of the revised ordinances is available on the township website or from the town clerk for a fee):

**Ordinance 1—General Provisions** - Deleted unused definitions; added or revised definitions of *accessory use or structure, advertising, clustering, escrow fund, fee, incidental, landowner, landscaping, corner lot, lot split, manufactured home, off-site advertising sign, permitted use, principal structure or use, public building, structural alteration, structure, and subdivide*.

**Ordinance 2—Township Administration** - Corrected sections on special meetings, board of appeals and adjustments, and planning commission.

**Ordinance 3—Zoning** - Added language on intent of Agricultural District; updated list of what's eligible for a conditional or interim use permit; updated requirements for building permits, buildable lots, clustering, driveways, swimming pools, and septic systems to conform to state building code and county requirements; updated performance standards for buildings and signs to require attachment to ground; updated requirements for allowable temporary structures and moving a building into or within the township; clarified requirements for wireless telecommunication facilities; updated procedures for conditional use permits and added a procedure for interim use permits; clarified variance procedure; clarified requirements for signs and added minimum setback (15 feet from right-of-way).

**Ordinance 4—Public Safety** - Added new section on boat landings and boat launching to address concerns with Chub Lake access across township right-of-ways; added language on replacement or installation of culverts to protect township right-of-ways.

**Ordinance 5—Livability** - Included requirements for lighting.

**Ordinance 6—Mining** - Corrected internal numbering.

**Ordinance 7—Fees** - Increased some fees and escrow amounts to cover administrative costs; added fees for items previously left off the fee schedule.

**Ordinance 9—Watershed Management** - Corrected internal numbering.

The planning commission and town board are working on a second round of updates to be completed this fall. Any proposed ordinance changes will go through a public hearing process for citizen input and comment before they are adopted by the town board.

## ***CURRENT TOWN BOARD INFORMATION***

*The Town Board is continually in the process of making decisions about Building Permits, Split Lots, Non-Conforming Use Permits, Conditional Use Permits, and issues that are not in compliance with our Ordinances. For specific information, refer to the minutes of the Town Board Meetings on our website.*

**Actions** - In September, the Planning Commission held two public hearings to seek input from the public regarding special permitting requests.

- On September 5, a public hearing was held with regard to the application for an interim use permit (IUP) for a gravel mining operation. Kenny Miller applied for the permit to operate **Windmill LTD** at a property located at Essex Ave and 235<sup>th</sup> Street West, Farmington. This was the first mining permit considered under Ordinance 6, Mining, since it was adopted in 2002. An IUP is a temporary use of property that is allowable under the Ordinances provided certain requirements are met. An IUP expires on a specified date or event, or until it is no longer allowed under zoning regulations. The planning commission recommended approval of the Windmill IUP, and the town board formally approved the permit at its September 10 meeting.
- An application for a Conditional Use Permit (CUP) for a school was considered at a public hearing on September 18. **Westwind Education, Inc.**, applied for the CUP to operate a small private school on 240<sup>th</sup> Street, just east of Highview Avenue. Schools are a permitted use within Eureka Township, provided they meet specific criteria as outlined in the Ordinances. A CUP is allowed to continue on the same property, provided conditions are met, regardless of ownership. The planning commission recommended approval of the Westwind CUP, and the town board formally approved the permit at its October 9 meeting.

**Northern Natural Gas Pipeline Update** – Work on this pipeline has been substantially completed in the Township. Northern Natural Gas Company did reimburse the Township \$13,700.00 for road damage, grading and dust control.

**MinnCan Project Update** – The Complaint Handling Process was established by the PCU and MPL so that persons may express concern or dissatisfaction regarding pipeline right-of-way alignment, preparation, construction, cleanup, or restoration of other Routing Permit conditions. For more detailed information on the Complaint Handling Process, please visit the project's Web site at <http://www.minncanproject.com/> or contact Kris Amundson at 651-292-8062 with questions regarding the MinnCan Project. Condemnation of land for easement rights was granted on September 20, 2007 against approximately 12 Eureka landowners. Work on this pipeline is not expected to begin until 2008 in Scott and Dakota counties.

**CAP X 2020 Project Update** - Eureka Township citizens were among 73,000 recipients who recently received letters from "CapX" informing them their property is in a proposed target area to be crossed by one of three large 345 kV transmission lines. If you attended one of the recent public informational meetings held by CapX, you may have discovered there are lots of pieces to the project that are hard to understand and may have found it difficult to get answers to some of your more detailed questions. Eureka Township is offering an opportunity for citizens to learn more about this project and how to participate MEANINGFULLY in the early 2008 Certificate of Need meetings which will decide whether or not these lines will be approved, by hosting a meeting at the Town Hall.

The Township meeting will be open to all Dakota County citizens who may be affected by the CapX lines and will be led by groups who have followed and participated in the process so far. They will discuss their analysis of the CapX proposal and whether, in their opinion, it is designed to meet Minnesota energy needs along with other purposes. They will discuss alternatives to these lines, and what options citizens have in providing input that will be considered by the Public Utilities Commission. This meeting will be held tentatively in late November. Watch for the time and place to be announced in the paper and/or check the Eureka website after late October.

**Town Hall Use Update** -The Town Board reviewed the comments and suggestions provided via the Township attorney at the October 9, 2007 meeting. The legal language will be incorporated into the draft rental agreement by the Town Hall Use Committee and will be presented to the Town Board for final review at the November Town Board Meeting. The intention of the Town Board is to make the rental of the Town Hall available by January of 2008.



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Your e-mail address may be added to the list for current updates of monthly calendar, agendas, minutes, etc. Blind copies are sent, so e-mail addresses are kept private. Send the e-mail address to the clerk ([eurekatn@frontiernet.net](mailto:eurekatn@frontiernet.net))

**2007 Eureka Calendar...events at Eureka Town Hall, 25043 Cedar Ave., unless otherwise indicated**

October 22	Monday	7:00 p.m.	Planning Commission Ordinance Review Meeting
October 25	Thursday	12 noon	Deadline for receipt of applications for November 2007 Planning Commission Meeting
October 27	Saturday	9:00 a.m. (depart)	Annual Planning Commission Road Review
October 29	Thursday	7:00 p.m.	Planning Commission Ordinance Review Meeting
October 30	Tuesday	7:00 p.m.	Tentative Joint Meeting of CAC, Town Board, and Planning Commission
November 5	Monday	7:00 p.m.	Planning Commission Meeting
November 13	Tuesday	7:00 p.m.	Town Board Meeting
November 21	Thursday	12 noon	Deadline for receipt of applications for December 2007 Planning Commission Meeting
December 3	Monday	7:00 p.m.	Planning Commission Meeting
December 10	Monday	7:00 p.m.	Town Board Meeting
December 23	Thursday	12 noon	Deadline for receipt of applications for January 2008 Planning Commission Meeting
January 2, 2008	Wednesday		Candidate filing opens Supervisor position # 1, currently held by Brian Budenski Supervisor position # 2, currently held by Gloria Belzer
January 15, 2008	Tuesday	at 5:00 p.m.	Candidate filing closes
January 17, 2008	Thursday	until 5:00 p.m.	Last opportunity for a candidate to withdraw
March 10, 2008	Tuesday	10 a.m. – 8 p.m.	Annual Township Election – for additional information regarding Township elections, visit the Township website.

*\*Note: All new structures, most types of remodeling (both interior and exterior), and some types of repairs require a building permit under the Minnesota State Uniform Building Code and Eureka Township Ordinances. If you are in doubt about whether a project requires a permit, please contact the Town Clerk at 952-469-3736.*

Eureka Township Ordinances are available from the Town Clerk at \$25 for a hard copy, \$2 for a CD disk or can be accessed on the website, <http://eurekatownship-mn.us>, or at the Dakota County libraries in Lakeville and Farmington, or Eureka Town Hall or the Dakota County Law Library.