

EUREKA TOWNSHIP
DAKOTA COUNTY
STATE OF MINNESOTA

Eureka Planning Commission Meeting of December 7, 2015

Call to Order

Chair Sauber called the meeting to order at 7:00 PM. In attendance were: Chair Sauber, Commissioner Barfknecht, and Commissioner Frana. Commissioner Palmquist was absent. Supervisor Carrie Jennings attended as Town Board liaison. See attached sheet for additional persons in attendance. Deputy Clerk Cheryl Murphy recorded the minutes.

Approval of the Agenda

Additions to the agenda were made as follows:

- Under Old Business – add 225th Property Inquiry Follow Up

Motion was made by Chair Sauber and seconded by Vice Chair Barfknecht to approve the agenda as amended. Motion carried 3-0.

Citizen Inquiry

Becky and Sean McIntyre – 26255 Galaxie Avenue – Inquiry regarding proposed use of old Chub Lake Feed property as a church (Real Tree Church).

Chair Sauber suggested that the McIntyres check with Commercial Building Inspector, Gary Staber, regarding what might be required to convert the building to proper code for a commercial building. Chair Sauber stated the use of the property as a church would require a conditional use permit. She went on to explain the conditional use permit process and suggested the McIntyres review Ordinance 3 for further information. A possible lot split was also discussed.

Permit Requests

Mitch and Katrina Larson – 25497 Highview Avenue – Building Permit for Farm Building.

Chair Sauber questioned that the application was marked as a farm building, but there is no Ag Exemption. She asked if the building is going to be used as an Ag building or a farm building. Commissioner Frana stated that the Larson property is less than 10 acres and it cannot qualify as Ag, but the Larsons could apply for a building permit for an accessory building.

Commissioner Frana went on to explain that if the building is going to be used for Ag, it would have to be 250 feet from any residence not owned by the Larsons. Commissioner Frana stated it would be okay to store equipment in the building, but being that it is less than 10 acres, the Larsons would be limited to how many animal units they can have. Ordinance 3 Chapter 7 states one animal unit for the first two acres and then one animal unit for each acre up to 40. Chair Sauber stated the Larsons need to add to the application on the site plan, "500 feet from any residence" and change from "Farm Building" to "Accessory Building". It is also more than 110 feet from Highview and that needs to be stated on the plan and all needs to be initialed.

Supervisor Frana made a motion to recommend approval of the Accessory Building at 25497 Highview Avenue and to forward to the Board. Chair Sauber seconded the motion. Motion carried 3-0.

Chair Sauber stated the Larsons need to attend the Board Meeting on Monday, December 14, 2015, and will need to submit their building plans to the Building Inspector.

Town Board Liaison Report – Supervisor Carrie Jennings

- Approved building permit for Bachman's to replace greenhouse structure
- Approved a building right transfer for Charlene and Daniel Adelman, 23733 Hamburg Avenue
- Approved a Conditional Use Permit for a ground-mounted residential solar energy system for Merlin Leine and Karla Schrader at 24698 Cedar Avenue subject to conditions
- Sump Pump Ordinance-Board recommended to schedule a Public Hearing
- Policies and Procedures Manual was approved with the condition of a checklist
- No applicants for Planning Commission Chair
- Letter was sent to the property owner at 25465 Iceland path to remove the fence for non-compliance of the current ordinance. We understand the PC is working on a proposed fence ordinance
- Motion made to put a link to the question and answer document regarding dry ready mix plants along with information from the Township attorney pertaining to interim use, conditional use and text amendments on the Township website and title it "What's New?"
- Requested the Building Inspector and Brian Watson follow-up on the Joey Miller property at 22260 Dodd Boulevard regarding excess material storage and erosion control
- Draft Vermillion River Watershed Management Plan will be available to review in the Town Hall Lobby with a comment period of 60 days.

Chair Sauber stated the Sump Pump Ordinance Public Hearing would be scheduled for January 4, 2016, before the regularly scheduled Planning Commission Meeting. She also requested that the non-pump septic reports be dealt with at the next Town Board Meeting.

Land Use and Zoning Items

Inquiry from Shelly Kidd of Edina Realty, and Jared and Katie Stuart, 1484 Erickson Drive, Hastings, regarding the Roy Simon property.

The Stuarts wanted to know how many acres they would need for 150 animals and would a conditional use permit be required. Chair Sauber stated that for that many animals, more than 40 acres would be required and the feedlot would require a public hearing for the conditional use permit. It was suggested that the inquiry be forwarded to the Board for clarification of Ordinance 3, Chapter 7 regarding raising animals versus holding them on the feedlot. The Planning Commission is requesting clarification from Attorney Lemmons as well. Supervisor Jennings to request Supervisor Miller contact Attorney Lemmons.

Old Business

Al Ames – 24485 Cedar Avenue – Zoning Approval

Chair Sauber stated that the numbers that are on Mr. Ames' application were adjusted from what was initially turned in and approved. Chair Sauber stated she received a call from a resident stating that it appeared that the Ames property addition was all new construction. Chair Sauber followed up with the Building Inspector and it was determined that the numbers the building inspector turned in and what was on Mr. Ames' application did not coincide. There was a garage listed with 1,092 square feet and on the valuation it is listed as 1,132. A deck was listed at 196 and on the valuation it is two decks at 420 square feet. It was determined the actual addition was listed at 1,288 square feet, but the valuation stated it was 3,901 square feet of above ground dwelling space. Chair Sauber again stated there are two documents that do not match up and the plans have changed. Chair Sauber also stated that it is not okay with the Planning Commission and this will need to be addressed by the Board with Darrel present. She stated that Mr. Ames will have to submit a new application. This will be addressed further at the Board meeting on December 14, 2015.

Fence Ordinance

Chair Sauber and Commissioner Frana met as a workgroup regarding the proposed fence ordinance and requested feedback and input from the Planning Commission members. There was much discussion regarding fence heights and maximum fence height.

Also discussed were boundary lines, having a licensed survey, property line placement, division line, maintenance free materials, and setbacks for maintenance. Chair Sauber and Commissioner Frana to meet again after the holidays to attempt to bring the draft ordinance to the February 1, 2016, Planning Commission meeting and then on to the Board for their approval.

Recodification Review – Vice Chair Barfknecht has completed the changes and will send to Deputy Clerk to forward to Attorney Lemmons. Chair Sauber suggested the Township would need to have two different water ordinances. Planning Commission will aim for having a January public hearing for the recodification.

Update on Information Regarding Road Frontage in Shared Driveways

Chair Sauber stated that after the Planning Commission met with Matt Lissick, the individual from Farmington who was interested in the Alan Backman property, she felt we did not give him the correct information. He wanted to buy the property, had the two parcels by the road and another in the back. Chair Sauber clarified with the Board that he could share the driveway, but Mr. Lissick still needs to have 33 feet of road frontage. It cannot be a land locked parcel. Chair Sauber contacted Mr. Lissick and clarified the information to him.

New Business

2016 Newsletter – Jody Arman-Jones - Items to include in the newsletter:

- Township Elections
- Annual Meeting
- Candidate Statements
- Snow Plowing
- Update on Sump Pump Ordinance-scheduled on January 4th; Recodification in January, Fence Ordinance by February
- Special Meeting Comp Plan and Solar Ordinance, January 12, 2016 at 7:00 pm.
- February Meeting for Comp Plan and Solar Ordinance to allow for resident input before the meeting
- “What’s New?” Section of the website – Dry Ready-Mix Public Hearing Questions and Answers to be posted with explanation of Text Amendment, Interim Use Permit, Conditional Use Permit and Variance to accompany the Questions and Answers. Attorney Lemmons to okay the wording and forward to Jody for inclusion in the Newsletter.
- Possible Annual Meeting topics

Chair Sauber questioned if we should still be accepting and renewing advertising for the Newsletter since we are sending it out electronically. The money in the past was used to defray the cost of printing and mailing. Chair Sauber will bring up to the Board at the December 14, 2015, meeting.

Comprehensive Plan and Solar Energy Systems Ordinance. – Meeting on January 12, 2016, at 7:00 PM at the Town Hall.

Capital Improvement Plan- No Capital Improvement Plan recommendations to be sent to the Town Board.

Minutes

November 2, 2015 – Planning Commission Meeting – Chair Sauber made a motion to approve the minutes of November 2, 2015, as amended. Vice Chair Barfknecht seconded. Motion carried unanimously.

Adjourn

Chair Sauber made a motion to adjourn the meeting. Vice Chair Barfknecht seconded the motion. Meeting adjourned at 8:31 PM.

Respectfully submitted,

Cheryl Murphy
Deputy Clerk
Eureka Township

Meeting Minutes approved _____.

DRAFT