

EUREKA TOWNSHIP PLANNING COMMISSION

March 6, 2017 Meeting Minutes

Meeting was called to order 7:03 PM by Vice-Chair Fredlund. In attendance were Commissioners Larson, Wood, Palmquist and Fredlund.

Agenda was approved with no changes.

PERMIT REQUESTS:

Jarod Oleson – Building Permit for lean-to at back of existing pole barn. Mr. Oleson supplied missing info from app (PIN #, square footage, CUP & NCU questions, and distances to front property line and neighbor's house to north). (Note: Ralph's **copy** has these changes initialed by Mr. Oleson.) Mark Ryan, Water Resources Engineer for Dakota County Environmental Resources, was in the audience and confirmed that the project does not need a permit from the VRWJPO per the email in our packets. Motion by Vice-Chair Fredlund, second by Commissioner Wood, to forward this building permit application to Town Board with recommendation for approval. Passed 4-0.

Robert Dockry –for picnic shelter on MAC property at Airlake Airport. First question from Vice-Chair Fredlund was to Mark Ryan as to whether MAC was exempt from VRWJPO permitting and he said it was not. Applicants were advised they needed to apply to VRWJPO first, and were advised of additional info needed on our application (PIN #, site plan with setbacks and other measurements).

OTHER LAND USE AND ZONING ITEMS:

Jerome Phillippe – Residential Building Right Transfer (Cluster) Application. Jerome appeared with Butch Hansen representing Terri Petter, the source of the building right. Vice-Chair Fredlund questioned conflicting addresses between the application and the county property records. The address of the receiving property is 10113 280th St as reflected in county property records. Mr. Phillippe's mailing address is 27798 Jamaica Ave. Vice-Chair Fredlund questioned if there was a certified copy of Mr. Phillippe's deed; we had copies but not certified copies in our packets. Butch said there was a certified copy in the file in the clerk's office which the Commission could not access. Vice-Chair Fredlund questioned if there was a stub abstract available for the Petter property. Mr. Hansen showed a full abstract to attorney Martin Norder. Attorney Norder confirmed the abstract was up-to-date and said the full abstract was satisfactory in lieu of a stub abstract. Mr. Hansen retained possession of the abstract.

Commissioner Larson moved that the Commission forward the application to the Board with a recommendation for approval contingent upon verifying a certified copy of the deed in the file; second by Commissioner Palmquist. Vice-Chair Fredlund said he was recusing himself from voting due to past issues with Petter; motion passed 3-0.

At that point Commissioner Larson determined she should have recused herself from voting. Upon Martin's recommendation, Commissioner Larson rescinded her motion.

A new motion was made by Commissioner Wood and seconded by Commissioner Palmquist. Motion passed 2-0 with Commissioner Larson and Vice-Chair Fredlund recusing themselves.

David and Lois Peterson –Lot split approval application. Although they submitted a lot split application, Lois said they were in the process of reviewing an offer for the sale of their home and were inquiring about a lot split possibility for their almost-forty acres. Exact acreages were not determined yet. Applicants were advised to submit a new application when final numbers were available.

RESIDENT INQUIRY:

Erland and Gloria Anderson – seeking building right. Residents sought information whether Merlyn Schonning had a building right he could transfer. Applicants were in touch with Chad Lemmons office regarding FNAP status of Schonning's property and whether building right(s) were salable. Applicants also questioned whether the township had records of who had building rights available; we said we did not maintain such lists. Applicants then asked if they could advertise in the township newsletter seeking to buy a building right. We said that would be a Board decision, but Vice-Chair Fredlund moved and Commissioner Wood seconded a recommendation to the Board to grant approval to place an ad in the township newsletter. Motion passed 4-0.

TOWN BOARD LIAISON REPORT

Supervisor Lu Barfknecht summarized the February 13, 2017, Board meeting.

OLD BUSINESS:

Fence Permit Draft Application. Commissioner Wood distributed the latest draft of the application form and it was discussed. Conflicting township email addresses were discovered and Commissioner Wood will correct that. Vice-Chair Fredlund moved to table item to the April PC meeting, seconded by Commissioner Palmquist. Motion passed 4-0.

Size of Accessory Structures. The Board directed the commission to review the size standards for accessory structures appearing in Ordinance 3, Ch.4, section 7, item C. After discussion of possibilities, Vice-Chair Fredlund moved to recommend to the Board to change said item to "...not more than 10,000 square feet on ~~6 to 10.999 acres~~ acres or more." Motion passed 4-0.

NEW BUSINESS:

Mark Ryan, Water Resources Engineer from Dakota County Environmental Resources. Mark reviewed the VRWJPO permitting process. He is the Township's primary contact for the process. He would appreciate receiving copies of applications we have approved so his office knows the status of those applications. He will advise us quickly if an application does not need a VRWJPO permit, but for those

projects needing a VRWJPO permit the process can take up to sixty days. Projects granted a VRWJPO permit will typically have a minimum of two inspections. Applicants will be charged a basic \$10 filing fee plus an escrow amount to cover anticipated inspections. Mark Ceminski in the audience questioned whether there was a public hearing for turning the permitting process back to the VRWJPO. Vice-Chair Fredlund thought it was a done deal as of approximately January 26, 2017, and Attorney Norder concurred.

Refinement of Ag Ordinance regarding Judge Ashpaugh's Interpretation. Attorney Norder confirmed that this was one judge's interpretation affecting one case/landowner in the township. However, a March 2, 2017, email from attorney Chad Lemmons, entitled "Definition of Commercial Agriculture and Horticulture", suggesting language to clarify our ordinances was reviewed. Vice-Chair Fredlund moved that we recommend to the Board that the ordinances be revised as recommended by Chad Lemmons in said email. Motion was seconded by Commissioner Wood and passed 4-0.

MINUTES APPROVAL:

Minutes approval tabled until April, 2017 meeting.

Meeting was adjourned at 8:30 PM.

Minutes submitted by Vice-Chair Ralph Fredlund