



959 Paris Avenue Circle North, Minnesota 55082  
651/436-4773 · <http://www.westlakeland.govoffice2.com>

December 12, 2022

West Lakeland Town Hall

**Present:** Chairman Dave Schultz, Supervisor Marian Appelt, Supervisor Phil Moosbrugger, Carrie Seifert, Clerk; Jennifer Samec, Deputy Clerk; Marsha Olson, Treasurer; Viet-Hahn Winchell, Township Attorney, Ryan Stempski, Township Engineer

**Public Hearing: Application by Robert Cherry, 1383 Norcrest Ave N, for a Type 3 Home Occupation Permit for Fundraising Business**

Chairman Schultz called to order the public hearing at 7:00 PM on December 12, 2022. Mr. Cherry presented a summary of his request. The use was determined to be a Class 3 use due to the storage of materials in a refrigerated truck for storage for parts of the year and the potential for customers to pick up materials on site brought the request. Some level of inventory is maintained on site in the garage at the current time. Mr. Miske presented the review by the planning commission, noting the request should be considered as a Class 3 business and recommended a public hearing. The planning commission recommended the board consider approval, pending the results of the public hearing.

Mr. David Baker, 1343 Norcrest Avenue, asked for clarification of the Type 3 business. Concerns include potential increased traffic and noise. Ms. Barb Martin, 1291 Norcrest, asked if the business would expand over the next few years. Mr. Cherry indicated that if the business expands, his intent is to move to a warehouse facility.

Having no further public comment, Chairman Schultz closed the public hearing at 7:15

**Call to Order**

Chairman Schultz opened the regular meeting of the West Lakeland Town Board at 7:15 PM

**Board Review: Application by Robert Cherry, 1383 Norcrest Avenue N, for a Type 3 Home Occupation Permit for Fundraising Business**

Chairman Schultz will abstain from the decision, as Mr. Cherry is his neighbor. After discussion Supervisor Moosbrugger moved to approve the application for a Type 3 Interim Use Permit for the Home Occupation at 1388 Norcrest Avenue N for the use as described in the application. Seconded by Supervisor Appelt, the motion carried 2-0 with Chairman Schultz abstaining.

**Public Hearing: Consider Amendments to Section 8.9 of the Town Code, Driveway Performance Standards, and Various Definitions in Section 18 relating to Section 8.9**

Chairman Schultz suspended the regular meeting and opened the public hearing at 7:20 PM. Mr. Miske presented a summary of the proposal on behalf of the planning commission. The change since the last review by the board was to clarify when culverts would be required. Mr. Stempski, township engineer, had no further comments or concerns. No public comment was offered. Chairman Schultz closed the public hearing at 7:25 PM.



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**Board Review: Consider Amendments to Section 8.9 of the Town Code, Driveway Performance Standards, and Various Definitions in Section 18 relating to Section 8.9**

Chairman Schultz returned to the regular meeting and opened for supervisor discussion the modifications proposed for Section 8.9 of the town code. After discussion, Supervisor Schultz moved to adopt the draft language for Section 8.9 of the town code, and the additional definitions proposed for Section 18 and to direct the attorney to draft a summary for publication. Seconded by Supervisor Appelt, the motion carried.

**Approval of the Minutes**

Supervisor Appelt moved to approve a supplemental addendum to the October 10, 2022 minutes, noting that Ms. Winchell, township attorney, was not present. Seconded by Chairman Schultz, the motion carried.

After review, Supervisor Appelt moved to approve the minutes of the November 14, 2022 regular meeting minutes with minor corrections. Seconded by Supervisor Moosbrugger, the motion carried.

After discussion, Chairman Schultz moved to table the minutes of the meetings of November 13, November 1 and October 24 regarding candidate interviews. Seconded by Supervisor Appelt, the motion carried.

**Treasurer's Report**

Ms. Olson presented the treasurer's report for November 2011, reflecting \$42,475 in receipts and \$272,766 in expenses. The town retains \$2,274,734 in total assets. Chairman Schultz moved to approve the treasurer's report and approve the invoices presented by the clerk for payment. Seconded by Supervisor Appelt, the motion carried by roll call vote (3-0).

**Vacate Road Easements between 13810 and 13850 26<sup>th</sup> St N and between 13831 and 13889 28<sup>th</sup> St N**

The road easements between 13810 and 13850 26<sup>th</sup> St N and between 13831 and 13889 28<sup>th</sup> St N may not be required after the completion of the Twin Pine Fields Subdivision. However, the developer's agreement is not complete at this time. It was recommended by Mr. Stempski and Ms. Winchell that the vacation not be addressed until the subdivision developer's agreement is complete. No action was taken at this time.

**Planning Commission Update**

Mr. Miske presented a summary of the work undertaken by the planning commission. Modifications to Section 10 regarding home occupations, and the associated changes to other sections of the code are ready for a public hearing. The complete packet of modifications will be put together for the board's final review.

Mr. Miske noted that St Croix Montessori School regarding the expansion of the pavilion, which would require variances to the town code. It was also recommended that the conditional permit for the school be reviewed. The clerk indicated an application had been submitted.



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A draft of animal waste ordinance and salt storage ordinances have been submitted for review and are in process.

#### **MS4 Program Update**

Mr. Stempski presented an update to the work underway to complete the Township's MS4 permit application. Outstanding are the ordinances regarding animal waste management and salt storage, both of which are under final review with the planning commission.

#### **22<sup>nd</sup> St Turn Up**

Mr. Stempski noted that after the jurisdiction study, Washington County is considering taking over responsibility for 22<sup>nd</sup> Street due to the regional function and increased volume. This road has been a concern for the township for a period of time due to the increased traffic and need to improve the road design. Washington County will release a request for proposal in January 2023 to study the project, with a project start in March 2023. Data collection and public engagement will continue throughout the year, with a layout available by the end of 2023. Washington County will be looking for a resolution of support in January 2024. Mr. Stempski noted there will be a cost share in the project, estimated at \$15,000 for the study. And a tentative agreement that the township cost share for the actual road reconstruction will be similar to that of a reclaim project.

#### **Email Retention Policy**

The board reviewed the proposed email retention policy. After discussion, Supervisor Moosbrugger moved to approve the policy as presented. Seconded by Supervisor Appelt, the motion carried.

#### **Ratification of Payments**

Chairman Schultz moved to ratify the issuance of payment of the retainer fee for Jamb Architects for \$2,500 outside the meeting. Seconded by Supervisor Appelt, the motion carried by roll call vote (3-0).

Chairman Schultz moved to ratify the purchase completed prior to the meeting for computer equipment for Supervisor Moosbrugger totaling \$942.95. Seconded by Supervisor Appelt, the motion carried by roll call vote (3-0).

#### **Updated Supervisor Responsibilities**

The board realigned the duties and responsibilities of each supervisor with the resignation of Dan Kylo and appointment of Phil Moosbrugger. Dave Schultz assumed the responsibilities as Chairman, and Marian Appelt assumed the responsibilities of vice-chair. Liaison to the Middle St Croix Water Management Organization, Prairie Island Indian Community Liaison, Lake Elmo Airport Joint Zoning Board alternate, Airport Advisory Commission member and liaison to the building committee were assigned to Supervisor Moosbrugger. PCA Working Group was assigned to Supervisor Appelt.



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All other duties were retained as currently assigned. Chairman Schultz moved to ratify the assignments. Seconded by Supervisor Appelt, the motion carried.

#### **PFAS Settlement Update**

Supervisor Appelt presented a summary of the November settlement committee meeting. She noted that the potential of reducing the acceptable level of PFAS, which may impact how the 3M Settlement funds may be spent. The committee is currently accepting applications for the resident advisory group for the Priority 2, focusing on restoring water resources.

#### **Washington County Local Administrator's Meeting**

The November meeting of the Washington County Local Administrators focused on the opioid settlement memorandum of agreement. Funds will be distributed through the state and Washington County. Supervisor Appelt also noted that the Gold Line transportation project is still active, terminating the line in Woodbury.

#### **Public Comment**

No public comment was received.

#### **Additional Business**

A newsletter is anticipated for January

Supervisor Moosbrugger moved to sign Resolution R-2022-18, designating polling locations for the 2023 election cycle. Seconded by Supervisor Appelt, the motion carried.

The clerk noted that a Township now has a business account with One Hour Heating and Air Conditioning.

Supervisor Appelt noted she would be attending the MAT Township Day at the state capital on Feb 1 and Feb 2. Supervisor Schultz directed that the meeting be posted, as all supervisors would likely attend.

Chairman Schultz noted that the attempted repair to the parking lot lights was not successful. Repair would be addressed in the spring.

Chairman Schultz noted that the land locked basin comprehensive planning study being done by Valley Branch Watershed District is taking more time than anticipated. Chairman Schultz will be attending the monthly meetings on this study.

#### **Adjourn**

Having no further business, Chairman Schultz moved to adjourn the meeting. Seconded by Supervisor Appelt, the motion carried. Chairman Schultz adjourned the meeting at 9:49 PM.

Respectfully Submitted,



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Elizabeth A. Vance  
Recording Secretary