



959 Paris Avenue Circle North, Minnesota 55082
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May 4, 2022

West Lakeland Town Hall

Present: Chairman Dan Kylo, Supervisor Dave Schultz, Supervisor Marian Appelt, Carrie Seifert, Clerk; Marsha Olson, Treasurer; Jenny Samec, Deputy Clerk; Viet Hanh Winchell, Township Attorney; Mark Votava, Planning Commission Chair

Public Hearing, Variance to Section 6.9.4 to allow an accessory structure closer to the street right of way than the allowed front setback of the residence at 2728 Oriole Ave N

Chairman Kylo called the public hearing to order at 7:00 PM. Mr. Roger Knuteson, on behalf of Mr. Chris Knuteson, presented the background of the request. A variance for this same request was granted at the March 2022 regular meeting. However, after further detailed review, the site selected could not be used because of the setbacks and location of the septic system. Instead, Mr. Knuteson would like to build still in front of the residence, but the north of the driveway. This site would involve removing two trees, require less fill and eliminates the need for a second driveway. The original practical difficulties of the location of the septic system, distance from the residence to the setback lines and steep slopes continue to prevent compliance with the ordinance.

Mr. Votava, representing the planning commission, noted the recommendation for approval of the revised site plan. Chairman Kylo called for public comments. None were offered.

Chairman Kylo closed the public hearing at 7:10 PM

Call to Order

Chairman Kylo called the regular meeting of the West Lakeland Town Board to order at 7:10 PM.

Supervisor Discussion, Public Hearing, Variance to Section 6.9.4 to allow an accessory structure closer to the street right of way than the allowed front setback of the residence at 2728 Oriole Ave N

Chairman Kylo asked for supervisor comment on the revised proposal. Supervisor Schultz commented that he appreciated the removal of the bathroom and likes the elimination of the second driveway. Supervisor Appelt noted that the revised site also provides for better screening. After discussion, Chairman Kylo moved to approve the variance to Section 6.9.49 to allow an accessory structure in front of the front setback of the main residence, noting the practical difficulties of the location of the septic system, location of the setback lines and steep slopes in the rear of the lot, with approval contingent upon the revocation of the previous variance to allow only a single accessory structure, and to instruct the attorney to draft a resolution of the approval and pertinent facts. Seconded by Supervisor Appelt, the motion carried.

Public Hearing, Variance to Section 6.9.4 to allow an accessory structure closer to the street right of way than the allowed front setback of the residence at 1275 Norell Ave N

Chairman Kylo called to order a public hearing to consider an application by David Mergens for the property located at 1275 Norell Avenue North, for a variance from Section 6.9.4 to allow an accessory structure to be located closer to the street right-of-way than the allowed front setback of the main residence at 7:17 PM. Mr. Mergens is looking to locate his accessory structure in front of the main residence, noting the practical difficulties of the pond in the rear portion of the lot, the steep grade



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between the house and the pond, the location of the septic system to the north, and the location of the well on the south. The proposed site will meet all setbacks and would have no specific driveway access.

Mr. Votava presented on behalf of the planning commission. The planning commission recommended approval, noting the practical difficulties listed by Mr. Mergens. Chairman Kylo opened for public comment. No comments were received. Chairman Kylo closed the public hearing at 7:20 PM.

Supervisor Discussion, Public Hearing, Variance to Section 6.9.4 to allow an accessory structure closer to the street right of way than the allowed front setback of the residence at 1275 Norell Ave N

Chairman Kylo opened the regular meeting for supervisor discussion of the variance request. He noted he had visited the site, and the proposed location is well screened. He noted the lot is 4 acres, and about one third is in the pond. After discussion, Chairman Kylo moved to approve the variance to section 6.9.4. at 1275 Norell Ave N, noting the practical difficulties of the setback from the pond, the steep slopes, location of the well and location of the septic, in the location indicated by the provided site plan submitted with the request, further noting the location is well screened, and directed the attorney to draft a resolution documenting the approval and statement of the facts. Seconded by Supervisor Schultz, the motion carried.

Approval of the Minutes

Chairman Kylo moved to approve the minutes of the April 11, 2022 regular meeting with minor corrections. Seconded by Supervisor Schultz, the motion carried.

Chairman Kylo moved to approve the minutes of the April 19, 2022 special meeting, Seconded by Supervisor Schultz, the motion carried.

Review CSAH 15 and 30th Street Cooperative Agreements

Ms. Eden Rogers, project manager for Washington County Public Works, presented the desired agreements between Washington County and West Lakeland Township in support of the project at CSAH 15 and 30th street. The project is to provide turn lanes, additional drainage and a signal light at this intersection. West Lakeland Township signed a resolution of support for the project at the February regular meeting. The desired agreements with West Lakeland include construction cost sharing, design and engineering cost sharing and signal maintenance cost sharing. West Lakeland will have review of the bids prior to acceptance. West Lakeland's share of the total \$1.02 million, is estimated at \$104,000. After completion of the project, the infiltration swale will be transferred to West Lakeland Township. The maintenance agreement includes maintenance of the infiltration swale, maintenance of the pavement markings and maintenance of the signage on West Lakeland's designated roadway. West Lakeland Township will bear no cost of installing the signal but will be responsible for 25% of the operating costs, primarily electrical cost, estimated total of between \$600 and \$800 annually.

Supervisor Schultz asked about trees that would need to be removed. Ms. Rogers noted most of the removal in the right of way is buckthorn, and the plans were reviewed with the impacted landowner. Chairman Kylo asked if coordination had been done with MAC, so that the repairs that will be done to the roadway after airport construction and this roadwork would be coordinated so that the road is complete. Ms. Rogers confirmed that there will be no gap remaining between the two projects.



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After discussion, Supervisor Schultz moved to sign cooperative agreements 14782, 14783 and 14788 with Washington County. Seconded by Supervisor Appelt, the motion carried by unanimous roll call vote (3-0).

Treasurer's Report

Ms. Olsen presented the treasurer's report for April, reflecting \$10,058 in receipts and \$77,217 in expenses. Chairman Kylo moved to approve the report and pay the invoices presented by the clerk. Seconded by Supervisor Schultz, the motion carried by unanimous roll call vote (3-0)

Ground Mounted Solar, 1030 Paris Ave

Ms. Danielle Demar, All Solar Energy, appeared before the board on behalf of the homeowner, Mr. John Wagener, 1030 Paris Ave, for a conditional use permit for a ground mounted solar array for residential use. The plan presented meets the performance standards described in the township ordinance. No easements or homeowner's association restrictions are known. Supervisor Schultz noted the site proposed is well screened from the roadway. Mr. Votava noted the planning commission reviewed the request and site plan, and recommended approval. Chairman Kylo moved to direct the clerk to schedule a public hearing and the attorney to draft the publication for a hearing at the June regular meeting. Seconded by Supervisor Appelt, the motion carried.

Request for Variance to the Side Lot Setback, 14570 24th St N

Mr. Nathan Pinkham, 14570 24th St N appeared before the board with a request to allow an accessory building at 15 feet from the side lot line instead of the 25 ft setback prescribed by ordinance. The practical difficulties provided for the request include the irregular shape of the lot, the steep slopes to the north, location of the well, and location of other improvements on the property. The site is screened at the lot line. Chairman Kylo moved to refer the request to the planning commission for review, direct the clerk to schedule a public hearing, and direct the attorney to draft the publication notice. Seconded by Supervisor Appelt, the motion carried.

Planning Commission Update

Mr. Votava reviewed the work completed by the planning commission over the past month, and the items currently open for review. He noted the attorney has been requested to review the draft of the driveway ordinance revisions, with regards to penalties and enforcement provisions.

Proposed Changes to Section 15 of Township Ordinance, Regulations of Utility

The planning commission reconsidered at the board's request the limitations of height for utility poles prescribed in the draft ordinance. After review, the maximum height in section 15.10.2 was adjusted to 35 feet, matching the maximum height of buildings currently prescribed. Supervisor Appelt moved the draft forward to a public hearing, direct the clerk to schedule the hearing, and direct the attorney to draft a publication notice. Seconded by Supervisor Schultz, the motion carried.



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Washington County Variance Request, 1935 Quant Ave

The lot at 1935 Quant Ave is regulated by Washington County as part of the St Croix Bluffland protected area. The township has been asked to review and provide input to the request. Chairman Kylo and Mr. Stensland, building inspector, did visit the site. Chairman Kylo noted the request is in keeping with the characteristics of the bluff area and saw no concerns.

Road Update

Supervisor Schultz noted that the street sweeping has been completed, and crack sealing for those designated streets have been completed. Estimates are being gathered for repairing potholes. Washington County will be starting the mill and overlay for 10th street in May. Supervisor Schultz reported on his discussion with Washington County over restriction on the use of Jake Brakes. There is no current County ordinance, but it is being considered.

Request for Off Sale Liquor by Stone Ridge Golf Course

Chairman Kylo reported on the further research on the Township's role in regulating the request for off sale liquor sales by StoneRidge Golf Course. He noted that the controlling authority for liquor sales is the state and Washington County. Most surrounding townships do not specifically address or provide for additional controls for off sale liquor, as they have no specific authority to regulate the sale. He noted that any resident concerns should be addressed to Washington County as the regulating authority. After discussion, Chairman Kylo moved to direct a letter to Washington County noting no specific concerns with the request. Seconded by Supervisor Schultz, the motion carried.

Town Hall ADA Modification

Chairman Kylo provided an update on the discussions with the architect and general contractor for modifications to make the town hall ADA compliant. Plans for the first phase, renovations necessary for ADA compliance, were presented for review. This phase includes renovations to the restroom at \$80,000, the removal and replacement of the concrete pad at the front entrance, \$15,000, replacement and upgrade to the main and side entrances, \$6,000. Rough in of plumbing from the restrooms to the rear of the main meeting room (where the counter is currently located) is also included in this phase, \$3,500, as it fits best with the bathroom renovations. Phase 1 is currently estimated at \$104,000 with \$3000 additional to retain the current pebble look at the entrance.

Phase 2 is a consideration of a 25 ft addition, and modifications to the layout to address ADA concerns and provide better utilization of the meeting space. Phase 2 includes expanding storage, expanding office space, improving the service area (counter area) to support food service, not food preparation, and expanding the smaller meeting room. The estimated cost of Phase 2 is \$200,000. The township attorney was asked to investigate if a formal bid was required to hire a general contractor. The American Recovery Act funds can be used to fund both Phase 1 and Phase 2.

The next proposal being considered is an upgrade to the audio-visual equipment. Chairman Kylo met with a Best Buy consultant, and the recommendation was to upgrade the screens and repurpose the existing screens. The estimate for this work is \$4,100, with \$1,700 for installation.

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Additional potential projects include an upgrade to the security system to augment or replace keyed access with keypad access and an emergency generator. No cost proposals have yet presented for these projects.

After discussion, Chairman Kylo moved to move forward and authorize purchase of 2 85" high-definition monitors, necessary mounting equipment and accessories not to exceed \$5,000. Seconded by Supervisor Schultz, the motion carried by unanimous roll call vote (3-0).

Additional Business

Chairman Kylo provided an update on the operations at the Tiller Sand pit. The operations are moving to the 150 ft setback. Berms will be constructed at the new setback line. Neighbors have been notified of the change in operations.

Chairman Kylo noted that the cleanup is almost complete of the burned building at 1620 Orwell Ave.

The board signed the conditional use permit 2022-1, resolution R-2022-5, for Qualtek Wireless.

The clerk noted a notice of extension submitted by All Energy Solar, on behalf of Louis King for a conditional use permit for a ground mounted solar array.

Supervisor Schultz noted a meeting on May 25 at St Mary's Point regarding a camera to read license plates. No supervisor is available to attend.

Supervisor Schultz noted concerns raised about door-to-door solicitation for driveway repair. No permit had been issued and concerns were raised about asphalt debris in the roadway.

Public Comment


Mr. Mark Votava reported that Mr. Denver Penning, who assisted in the selection and installation of the town hall signage, has received his Boy Scout Eagle Award. He also suggested the town consider mounting solar on the town hall roof and doing an event at the town hall in conjunction with National Night Out.

Mr. Nathan Aamott asked if a draft of the agenda could be published further in advance of the meeting.

Adjourn

Having no further business, Supervisor Schultz moved to adjourn the meeting. Seconded by Supervisor Appelt, the motion carried. Chairman Kylo adjourned the meeting at 10:25 PM.

Respectfully Submitted,



Elizabeth A. Vance
Recording Secretary