



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

July 8, 2024

West Lakeland Town Hall

Present: Chairman Phil Moosbrugger, Supervisor Rachel Dana, Marsha Olson, Treasurer; Carrie Seifert, Clerk; Chad Isakson, Township Engineer; Troy Gilchrist, Township Attorney

Public Hearing – Building Variance Request by Nathan and Emily Timm for property located at 14725 28th St. N -to issue a variance from Town Code, Section 6.9.4 to allow the construction of an accessory structure (garage) with less of a front yard setback than the home, resulting in the garage being closer to the road than the home.

Chairman Moosbrugger called to order the public hearing for a building variance request at 14725 28th St N at 7:02 PM. Ms. Emily Timm presented the request for a variance to radiance section 6.9.4 to allow construction of an accessory structure with less front yard setback than the home. The angled location of the primary residence on the lot makes placing the garage in front of the home a much more appealing site plan than moving behind the house. The property has a naturally existing clearing that would suite the garage well. Locating the accessory building behind the house presents the practical difficulties of the location of the septic and drainage field, the location of the gas line, the existing shed located behind the house, and the need to clear an excessive number of large trees, most 30 years old or older. The finish and design of the garage will match the house and has been approved by the Homeowner’s Association. It is a reasonable use of the property and aesthetically fits with the neighborhood. The site is screened by existing trees and blocks the view from the road and neighboring property owners. The proposed design and building location are supported by all five of the neighboring property owners.

Chairman Moosbrugger asked about the approval by the HOA. It was approved by the HOA via email, which could be provided to the board.

Mr. Mark Votava presented the review of the request by the planning commission. The commission concurred with the presented practical difficulties, and recommended the board approve the request.

Chairman Moosbrugger noted the letters provided by the neighbors and an email recommending support. Ms. Tamara Morrissey asked about the setback from the road. The structure does meet the setback requirements. The planning commission confirmed that all other requirements of the building code were met.

Chairman Moosbrugger closed the public hearing at 7:20 PM.

Call to Order

Chairman Moosbrugger called the regular meeting to order at 7:20 PM.

Consideration of request for variance, 14725 28th St. N -to issue a variance from Town Code, Section 6.9.4

Chairman Moosbrugger moved to adopt the draft resolution to approve the variance as requested, noting the practical difficulties of the location of septic, drain field, existing shed and the large number of mature trees in the back of the lot. The motion was seconded by Supervisor Dana. It was noted that the structure would need to be completed as proposed, including the building size, acquiring permits and maintaining the screening. It was noted that requiring screening for a nonconforming use, and the retention of the current screening is a condition noted by the applicant as a reason to award the variance. After discussion, the motion was passed.



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Approval of the Minutes

Chairman Moosbrugger moved to approve the minutes of the June 2024 regular meeting be adopted with minor corrections. Seconded by Supervisor Dana, the motion carried.

Chairman Moosbrugger noted minor changes to the May 2, 2024 were noted. After review, Chairman Moosbrugger moved to adopt May 2, 2024 with those minor corrections. Seconded by Supervisor Dana, the motion carried.

The board reviewed special meetings held May 10, 2024, May 15, 2024, May 20, 2024, May 21, 2024, May 30, 2024 and June 18, 2024. Chairman Moosbrugger moved to accept the minutes of the May 10, 2024, May 15, 2024, May 20, 2024, May 21, 2024, May 30, 2024 and June 18, 2024 with minor corrections. Seconded by Supervisor Dana, the motion carried.

Treasurer's Report

Ms. Olson presented the treasurer's report for the month of June, reflecting \$42,316 in receipts and \$135,321 in expenses. No CDs are pending renewal. Chairman Moosbrugger moved to accept the treasurer's report, seconded by Supervisor Dana. The motion carried. Chairman Moosbrugger moved to pay the invoices presented by the clerk. Seconded by Supervisor Dana, the motion carried (2-0).

Planning Commission Update

Mr. Mark Votava presented an update on the activities of the West Lakeland Planning Commission. The planning commission reviewed the proposal for Stagecoach Storage and did recommend approval of that plan. The recodification project is underway with American Legal Publishing. The first draft is expected in early September. There is a discussion of public hearing processes in the works. At the next meeting is a review of ordinance section 6.9 regarding accessory buildings.

Business Use Application – 2910 Quant Avenue, Stagecoach Storage

Mr. Mike Schaeffer, Stagecoach Storage. presented a business use application for a storage facility at 2910 Quant Avenue. There is a purchase agreement in place pending approval of the conditional use permit request. This is the seventh property put into this use. The area will be cleaned up of junk cars and will update the buildings on site. The parking will be used for parking of larger vehicles, with 150 full truck spots and 29 spots for smaller vehicles. The footprint is not going to be changed, but it will be cleaned up, additional screening, and update to the fencing. It would include lighting and electricity for most of the larger parking spots. From their other sites, the average client does not come and go daily, but drive for a period, and return to spend time with their family. It has been a junkyard for 50 plus years, and the lot will be improved. An environmental study is underway.

Chairman Moosbrugger asked if the facility would be paved. That is not in the plan. The condition of the gravel would be evaluated and improved. The current request is to gain approval of the township for this new use, with permit specifics to be provided at the public hearing.

Supervisor Dana asked about the outlots identified on the property. On the southside, is it MnDoT property. On the northside, there are buildings that may be outside the property line, reflecting poor surveys in the past. This is under review by their legal team. It is not believed that this is owned by the township.

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Mr. Mark Votava presented a summary of their review. The planning commission recommended approval conditioned upon the applicant owning the property, completion of the survey resolution and final site plan and have Valley Branch Watershed review.

Chairman Moosbrugger asked if a conditional use permit could be granted to an entity that does not own the property. The CUP, when issued, does with the property. The application should identify the owner and the applicant. The clerk has been in touch with the property owner, and the updated application reflects the property owner. The township would like a written acknowledgement of the request by the property owner.

Mr. Brad Cornell noted that when he asked for a conditional use permit as the user of the property owner, and his home occupation permit conveys with the homeowner.

Chairman Moosbrugger moved to direct the clerk to schedule a public hearing at the next regular meeting. Seconded by Supervisor Dana, the motion carried.

Resolution Denying the Conditional Use Permit Request by Oriana CSG to Construct and Operate a Ground Mounted 1 MW AC Community Solar Array

Mr. Troy Gilcrest presented a draft resolution documenting the board's denial of the conditional use permit request by Oriana CSG to construct and operate a ground mounted community solar array. Supervisor Moosbrugger moved to adopt the resolution denying the request as drafted. Seconded by Supervisor Dana, the motion carried.

Pavement Management Plan and 2025-26 Road Project

Mr. Chad Isakson, Focus Engineering, provided an update on the pavement management plan. The pavement management plan is a long-term plan to provide for efficient maintenance of township roadways. The township has 45 plus miles of roadway, and in the 2025-26 road project will address 8 miles of that roadway. The pavement management plan is long term program to maximize the lifetime of the township's roadway. Two proposals were submitted to complete the pavement plan, with some different options embedded in each plan. The deliverable is a 10 year plan, with a 20 year outlook. Maintenance update to re-rate the roads, anticipated every 3-4 years, is about 1/3 of the cost of the original proposal.

Proposals were received from Bolton and Menck and Standtec Engineering. Both included estimated costs for manual evaluation of roads and a robotic evaluation of the roads. An estimated cost for the assessment is \$20,000 to \$30,000. Mr. Isakson noted both can provide suitable results. The meat of the next step is the planning of the capital expenditures and maintenance programs. Mr. Dave Schultz asked if the road supervisor and engineer could provide that information. Supervisor Dana does not think the board has the expertise to effectively manage pavement. A third-party evaluation may provide a more transparent evaluation. Chairman Moosbrugger suggested that the professional evaluation be considered. It could be a one-time contract with ongoing maintenance by the township. Supervisor Dana suggested that the firms be brought to a meeting to review the proposals.

Ms. Tamara Morrissey asked if the proposals needed more guidance from the board and if the two proposals present different options. Chairman Moosbrugger noted that both proposals do have the same scope, with some differences in how the assessment is done. The reason to bring the firms in will provide a better understanding of what is in the detail of each proposal.

Ms. Marian Appelt asked if the work on the roads in need of maintenance is being delayed pending a decision on the pavement plan. It is not.



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The geotechnical firm, Braun Intertec, is in the process of doing the soil borings, and the geotechnical work. Preliminary engineering is being prepared by Bolton and Menck. Per Mr. Isakson, the road project is on track.

Town Hall Renovation

Chairman Moosbrugger presented an update on the town hall renovation. There is only one bidder, Mission Contracting, to complete the town hall renovation. There was an amended bid as of June 18, 2024, with the removal of part 2, which changed the total estimate to \$174,500. This completes parts 1 and 3. Chairman Moosbrugger moved to accept the revised bid at \$174,500 for parts 1 and 3, for the ADA improvements, warming kitchen and interior doors. The motion was seconded by Supervisor Dana. Mr. Dave Schultz asked about the wants and needs list and asked about the expansion was for storage and the want was for the kitchen. As it turns out, the cost for the addition was more substantial than expected. Supervisor Dana asked about how change orders, if any arise, are approved. Mr. Gilchrist noted that a certain level of authority could be delegated, but larger amounts should be brought back to the board. Chairman Moosbrugger noted that a certain amount of funding has been approved for overages. The motion was approved by roll call vote (2-0). Chairman Moosbrugger moved to appoint Supervisor Dana to be the board representative for the project. Seconded by Supervisor Dana, the motion carried.

Road Maintenance

Quotes for patching and general maintenance of the roads have been obtained. It was noted that this is normally done much earlier in the year, so Chairman Moosbrugger solicited two bids including the provider used in the past. Bids were received from RCM and Pavement Resources. RCM has a lower cost per ton and a larger amount of material in the quote. The bids included emergency pothole repair, and a second bid for delamination, severely alligatored areas and severe cup cracks. With RCM, the total for both categories is \$170,000. After discussion, Chairman Moosbrugger moved to contract with RCM pursuant to the quote for both phases of repair for a total of \$171,175. Seconded by Supervisor Dana, the motion was carried by roll call vote (2-0).

Mr. Mark Votava asked why the road supervisor did not provide for this work earlier in the season, and who would be overseeing the contractor during the execution. In the past, this had been done by the road supervisor. Dave Schultz noted that he worked hand in hand with the road contractor and was actively involved in identifying what was repaired and how it was repaired. Chairman Moosbrugger will step in until the road supervisor is available. Mr. Miske asked if that oversight could be assigned to the township engineer. That would come at an additional cost. Supervisor Dana believes that Chairman Moosbrugger is capable of managing the work. Mr. Gilchrist was directed to generate a contract for the work.

Additional Business

The clerk proposed a change in pay for the election head judge from \$15.00 to \$17.00 per hour, in line with Washington County's pay scale. Chairman Moosbrugger moved to adopt a pay rate of \$17.00 per hour for election head judge. Seconded by Supervisor Dana, the motion carried by roll call vote (2-0).

Chairman Moosbrugger asked for an update on the AV system. Mr. Dan Kylo noted that a computer needed to be purchased to run the system. A refurbished system was found at the State

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Surplus for \$70.00 and including 2 monitors for an additional \$40.00. Software needs to be purchased and installed. There will be six cameras for the security system, 5 outside and one inside. A keypad entry for the door will be done once the door selection has been made. Installation of the keypad prior to installation in the building.

Mr. Dan Kylo noted the bid included double doors between the entry and the main hall. The quote did not include the ability to lock both doors, this door and the front door, to be locked remotely. This was not part of the initial bid, but could be done with a small upgrade package. This would allow access to the entry and bathrooms apart from the main hall and offices.

Mr. Dan Kylo noted that he saw refrigerators at the state surplus store. He reserved a purchase of a full size refrigerator in anticipation of the warming kitchen might be cost effective. The funds are approved, so it could be set aside for the kitchen update.

Public Comment

Mr. Mark Votava noted that the lawn and gardens look great. The board expressed appreciation to the gardening committee. Mr. Dan Kylo noted that the garden committee has started another garden bed. Mr. Matt Schmitt will be donating mulch for the effort.

Ms. Marian Appelt provided an update on National Night out on August 6. The banner will be put up this week, and the newsletter has been sent to the printer. A K-9 unit will be present and a Bayport fire was requested.


Mr. Dave Schultz expressed appreciation for the action of the board on the road maintenance this evening. He asked if the road supervisor ever provided the road maintenance plan requested at the June meeting. It has not been provided, but the board is moving forward with the needed work and long term pavement plan.

Ms. Marian Appelt asked about the increase in the amount of wild parsnips on private property. There should be some emphasis on controlling the wild parsnips. This will be addressed in the upcoming newsletter.

Adjourn

Having no further, business, Chairman Moosbrugger moved to adjourn the meeting. Seconded by Supervisor Dana, the motion was adjourned at 9:20 PM.

Respectfully Submitted,



Elizabeth A. Vance
Recording Secretary