

WEST LAKELAND TOWNSHIP

May 8, 2017

7:00 p.m.

Oak-Land Jr. High

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz; Carrie Seifert, Clerk; Jennifer Samec, Deputy Clerk; Ms. Marsha Olson, Treasurer; Mr. Dave Dupay, Planning Commission Chair; Duane Stensland, Building Inspector; Attorney Scott McDonald; Attorney Viet-Hanh Winchell

Public Hearing to consider a building variance by Don Peterson, 1350 Oldridge Avenue North, to allow the garage/outbuilding addition to be less than 25 feet setback from the south property line

Chairman Kylo called the public hearing to order at 7:01 PM. Mr. Peterson presented a summary of his request, and detailed the proposed hardships supporting his request for variance. The concerns are the steep slopes in the back of the house and the current location of the septic and utilities, which limits where an accessory building can be placed. The desired solution is to add a 12 foot addition to the existing garage, which would put the side yard setback at 21.22 feet, a 4 foot variance from the setback line. The house was built in 1973, and the variance would not put the property out of character with the remaining neighborhood. At the time of the construction, the side setback was 10 feet from the property line.

Mr. Dave Dupay noted an issue with the front setback, which is 29.14 feet from the easement line. The easement is not centered on the roadway. The planning commission supported the variance request in that the building is already a nonconforming structure with the front setback encroachment, and noting a number of the homes in the neighborhood have similar encroachments on the current setback restrictions. It was further noted that the topography and the location of the septic and utilities limit alternative placements for a structure on the lot.

Chairman Kylo asked for comment from the public. Having none, the public hearing was closed at 7:12 PM

Discussion of Variance Request, 1350 Oldridge Avenue North

Chairman Kylo opened the regular meeting for discussion among the supervisors concerning the variance request at 1350 Oldridge Ave North. Supervisor Schultz asked if Mr. Peterson considered going deeper, rather than wider, to get the additional storage space desired. This option would also go into the side setback because of the angle of the garage. Chairman Kylo noted he had done a site visit, and agrees with the assessment that the slopes in the back and the location of the septic and utilities constitute a hardship for construction of a separate accessory structure. Supervisor Ebner noted that a number of the homes in this neighborhood are closer to the road than this one, and there has been a precedence to allow encroachment into the setback in this neighborhood.

Supervisor Schultz moved to grant the variance and directed a resolution be drafted to document the approval, referencing the practical difficulties of the slopes in the rear of the lot, the location of the utilities, the existence of the home prior to the effective date of the current setback restrictions, and that it is in character with the neighborhood. Seconded by Supervisor Ebner, the motion carried.

Chairman Kylo suspended the regular meeting at 7:18 PM to allow for a second public hearing

WEST LAKELAND TOWNSHIP

May 8, 2017

7:00 p.m.

Oak-Land Jr. High

Public Hearing to Consider Adoption of the 2017 West Lakeland Code of Ordinances

Chairman Kylo called to order a public hearing to consider adoption of the 2017 West Lakeland Code of Ordinances. The document is a recodification of the current ordinances, incorporating changes and updates to the existing ordinances since the last codification into the text. Supervisor Ebner gave a summary of the changes. This includes all code modifications enacted over the past three years, and some grammatical corrections that were found in the interim. The change also reflects the additional responsibilities of the township for land use planning and language for criminal penalties recommended by legal council.

Chairman Kylo asked for public comment. Having none, Chairman Kylo closed the public hearing at 7:20 PM

Consideration of 2017 West Lakeland Town Code

Chairman Kylo resumed the regular meeting and opened the discussion of the adoption of the 2017 Town Code at 7:20 PM. It was noted that this document will continue to change and evolve as the township grows. Chairman Kylo moved to approve the 2017 West Lakeland Town code as drafted, and to direct legal council to draft a resolution documenting the approval and to provide for distribution and publication as required. Seconded by Supervisor Schultz, the motion carried. The board expressed their appreciation to Supervisor Ebner for leading this effort.

Approval of the Minutes

Supervisor Schultz moved to approve the minutes of the April 10, 2017 regular meeting with minor corrections. Seconded by Supervisor Ebner, the motion carried.

Chairman Kylo moved to approve the minutes of the April 10, 2017 board of appeals and equalization. Seconded by Supervisor Ebner, the motion carried.

Treasurer's Report

Ms. Olsen presented the report for April 2017, reflecting \$21,476 in receipts, and \$35,259 in expenses. Supervisor Schultz moved to approve the treasurer's report, and approve the payment of the invoices presented. Seconded by Supervisor Ebner, the motion carried.

Public Comments

No public comments were offered.

Discussion of Residence on a Commercial Lot

Ms. Anne Nickerson, owner of Black's Nursery appeared before the board to discuss the concept of putting a residence on this property. This is two tax parcels, one of which is not sufficient to meet the minimum lot size standards. This would need to be addressed with lot line adjustments. It was also noted that the current code does not allow two residences on the same lot. The current residence would be provided to the caretaker for the nursery. It was recommended that a minor subdivision be done to properly plat for two compliant lots. It was also discussed if a residence would be allowed in

WEST LAKELAND TOWNSHIP

May 8, 2017

7:00 p.m.

Oak-Land Jr. High

what is now a neighborhood commercial zone. Chairman Kylo deferred the discussion of the zoning concept of residences in the neighborhood commercial zone to the planning commission.

Recycling Options

Ms. Karen Richtman appeared before the board to discuss recycling options in lieu of clean up days.

First discussion concerned the ability of servicing trash haulers to provide for pickup and disposal of larger items. The bulk of the items identified as tossed in the last clean up day can be picked up by the hauler with notification and fees as part of the standard driveway/curbside pickup.

A second option is to promote a curbside event, highlighting the type of items, with costs, and a timeframe for that pickup. There was mixed support among the haulers for an organized event. The city of Woodbury does such an event, and subsidizes the cost of the pickup.

A third option is to have a designated drop off site for an event, and have specific guidelines on what can be dropped off, and which items would generate charges. The cost could be split between the city and the residents.

It was noted that education would need to be a key component of any event, and be clear what is to be recycled or disposed, and the proper waste stream for each. A flyer and magnet were considered as education options, as well as information links on the website.

After the notice that the standard clean up day would not be held, it was noted that the largest response from the residents was lack of understanding on how and where larger items could be disposed of. This is best addressed with an educational effort. It is a shift on how the township manages the waste. It is important that the burden of managing waste be put on the waste generator, and that waste not be stockpiled in anticipation of a disposal event.

The board discussed the options presented. The education materials, and potentially an event in the fall for bulkier items were supported.

A special meeting was proposed for June 1, 2017 at the township offices, to review the materials in more detail.

Youth Service Bureau

The board has annually signed a contract for services with the Youth Services and Counselling Services for \$250 per year. The board reviewed the current contract for renewal. The language regarding indemnification of the city of the Youth Service Bureau was removed from the contract language. Supervisor Schultz moved to authorize the chairman to sign the contract. Seconded by Supervisor Ebner, the motion carried. Ms. Olson was instructed to issue payment.

2018 Recycling Contract

The 3 year contract for recycling with Tennis Sanitation is expiring at the end of the year, but have a provision to extend for two more years. If the contract is not extended, the township would need to go out for bid, which requires a 6 month notice. Chairman Kylo moved to initiate the option for two additional years on the current contract. Seconded by Supervisor Ebner, the motion carried. The clerk will provide formal notice to Tennis Sanitation.

WEST LAKELAND TOWNSHIP

May 8, 2017

7:00 p.m.

Oak-Land Jr. High

Mowing, Brush Removal, Tree Removal Contract

Supervisor Schultz moved to accept the contract for 2017 ditch moving to M&S Tree service at \$85 per hour. Seconded by Chairman Kylo, the motion carried.

Supervisor Schultz moved to accept the contract for brush mowing at \$93.75 per hour and tree and brush removal at \$75 per hour with M&S Tree Service. Seconded by Chairman Kylo, the motion carried.

Road Patching Repair Contracts

Supervisor Schultz presented contracts for road patching with RCM Specialties. The first contract is to patch identified township roads for \$87,725. Supervisor Ebner move to approve the repair of the identified township roads. Seconded by Supervisor Schultz, the motion carried. Attorney McDonald noted that a second bid should be obtained for this statement of work

The second contract is to patch for sealcoat at \$6,050. Supervisor Ebner move to approve the repair of the identified township roads prior to sealcoat. Seconded by Supervisor Schultz, the motion carried.

The third contract is for 30th Street, from Neal to the township line at \$9,075. Supervisor Ebner move to approve this repair. Seconded by Supervisor Schultz, the motion carried.

The 4th proposal is for the road patching on 30th street, shared with Baytown. Baytown has not yet approved the work on this road. Supervisor Schultz will discuss this work with Baytown. The total cost of this bid is \$12,100. Supervisor Ebner moved to approve this work, subject to approval by Baytown. Seconded by Supervisor Schultz, the motion carried.

Seal Coat Road Repair

Supervisor Schultz attended the bid opening at the Lake Elmo City Hall. The low bid was with \$1.16 per square yard for the CRS2P, the recommended seal coat product. Lake Elmo will prepare the contract, and West Lakeland will share the estimated \$51,040 cost with Lake Elmo.

Planning Commission Update

Mr. Dave Dupay reported to the board on the revisions to streamline the application process for subdivisions. The application form, planning and zoning applications fees, and escrow policies and procedures are drafted. Supervisor Schultz moved to approve the escrow fees and policies form as drafted. Seconded by Supervisor Ebner, the motion carried.

The date of the planning commission meeting will change to the third Thursday of the month to better match the proposed timeline for review more closely. Supervisor Schultz moved to approve setting the meeting dates of the planning commission to the third Thursday of the month. Seconded by Supervisor Ebner, the motion carried.

Mr. Dupay reported back on the review of the 1 acre buildable requirement. 5 of 6 of the members present supported removing the requirement. Instead, it may be more appropriate to have performance standards to demonstrate that there is sufficient space for a dwelling, drainfeild, well, driveway, etc. on a new lot. There was discussion if the performance standard should include space for an outbuilding. The planning commission was directed to identify where the requirement is currently called out in the code, and what may replace that requirement.

WEST LAKELAND TOWNSHIP

May 8, 2017

7:00 p.m.

Oak-Land Jr. High

Additional Business

Supervisor Schultz noted that Thursday, May 11 2017 is an informational session with MAC on the Lake Elmo Airport.

Supervisor Schultz noted a call about the Royal Oaks Golf Club and concerns with Manning Trail, and the possibility of removing a culvert. He is working to address this issue with Lake Elmo. Lake Elmo has not formally approached the township regarding this development.

Adjourn

Having no further business, Chairman Kylo moved to adjourn the meeting. Seconded by Supervisor Ebner, the motion carried. Chairman Kylo adjourned the meeting at 9:55 PM.

Respectfully submitted,



Elizabeth Vance
Recording Secretary