

WEST LAKELAND TOWNSHIP

August 3, 2015

7:00 p.m.

Oak-Land Jr. High

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz; Ms. Carrie Seifert, Clerk; Mary Rinkenberger, Deputy Clerk; Mr. Scott McDonald, Township Attorney; Ms. Marsha Olson, Treasurer, Mr. Duane Stensland, Building Inspector

Public Hearing

Chairman Kylo called to order a public hearing concerning the Conditional Use Permit/Home Occupation Use Permit granted to Robert J and Denise Lind, 1445 Neal Ave N. The property owner has requested a hearing pursuant to section 2.6.8.2 of the Town Code following a receipt of a Notice of Violation and Demand for Correction issued by the Town Board. Mr. McDonald noted that the violation cited referenced the number of buses maintained on the property and the hours of operation of the party bus service. The property owner has the right to show cause as to why the permit should not be revoked. The property owner has a right to appeal the decision if the permit is revoked.

Mr. Lind appeared before the board, stating he has continued to run the business as he always has, and considers it in conformance with the permit. Mr. Lind noted that there are currently two buses on site. Chairman Kylo noted he has received emails documenting two buses on the premises.

With regard to the hours of operation, Chairman Kylo noted an email received noting activity on a Thursday night. Mr. Lind indicated this was a personal event.

Ms. Sylvia Zinn, 1485 Neal Ave Ct N, provided a written statement to the Board of Supervisors. She noted that Mr. Lind has been given ample opportunity to correct the violations, and has not done so. Mr. Steve Rolf, 1465 Neal Ave Ct N, noted the website for the party bus service did not restrict the hours, and listed events such as children's parties, sports events, etc. that do not occur on the weekend. He further noted on July 18, three buses returned after the 2:00 curfew, and noted the 9 emails from his wife documenting at 11 violations between June 21 and August 3. Mr. Dale Peleski, 1475 Neal Ave Ct N, also noted violations of the conditions of the permit on July 19. Mr. Steve Iverson, 1485 Neal Ave Ct N, noted violations of the conditions on July 25.

Supervisor Schultz noted he visited the site unannounced on Aug 3, and saw two buses housed in the garage.

Mr. McDonald clarified that a business use would include leaving for an event or leaving for repair or maintenance.

Chairman Kylo closed the public hearing at 7:35 PM

Call to Order

Chairman Kylo called to order the regular meeting of the West Lakeland Board of Supervisors at 7:35 PM.

Consider Revocation of the Conditional Use Permit/Home Occupation Permit Granted to Robert J and Denise Lind, 1445 Neal Ave N.

The supervisors discussed the comments received at the public hearing. Supervisor Ebner noted his consideration was based upon the written documentation and the conditional use permit restrictions of one bus operating from Sat 2 PM to Sun 2 AM. Notice of 11 violations were received concerning the bus activity as evidence of violation after the deadline provided in the Notice of Violation and Demand for Correction. Supervisor Ebner moved to revoke the permit for the party bus service, and direct Mr. McDonald to prepare a resolution for signature by the Chairman outside the meeting. Seconded by Chairman Kylo, the motion carried.

WEST LAKELAND TOWNSHIP

August 3, 2015

7:00 p.m.

Oak-Land Jr. High

Approval of the Minutes

Supervisor Ebner moved, seconded by Supervisor Schultz, to approve the minutes of the July 2015 regular meeting.

Chairman Kylo moved, seconded by Supervisor Ebner, to approve the minutes of the Feb 3 budget meeting.

Chairman Kylo moved, seconded by Supervisor Schultz, to approve the minutes of the April 3 organizational meeting, including updated job descriptions.

Treasurer's Report

Ms. Olson presented the treasurer's report for July 2015. The report reflected \$42,525 in receipts and \$44,806 in expenses. Supervisor Ebner moved to approve the report. Seconded by Supervisor Schultz, the motion carried.

Review and Pay Bills

Chairman Kylo moved to pay the invoices presented for payment. Seconded by Supervisor Ebner, the motion carried.

Lake Elmo Runway Expansion

The board welcomed comments from Senator Karin Hously and County Commissioner Gary Kriesel. Both indicated they would closely monitor the approval process. The Washington County board has requested a workshop session with MAC to review the proposal. The proposal is currently open for public comment until August 26, pending review by the Metropolitan Airport Commission and Metropolitan Council.

Mr. Bill King of Afton, spoke in favor of the longer runway as a pilot who uses that airport. Neighboring residents raised concerns that moving the road and lengthening the runway would change the access of neighboring lots, remove trees, and bring planes closer to homes. There is concern that there is not the right infrastructure to support an expanded airport or the role of reliever airport. Mr. Brad Cornell, 2773 Neal Ave, noted that up until 1997 with the last master plan, public comment at that time indicated MAC would not act on any runway expansion and limit the impact on 30th street. Mr. Brett Arnst, 1390 26th St, asked about the data basis for the MAC plan and supporting statistics. A number of residents questioned the flight data reflected in the report as overstating the current and potential use.

Supervisor Schultz presented a letter to MAC for comment expressing the board's concern with and opposition to runway expansion. The board considered a resolution prepared by resident Jennifer Forman, with modifications. Chairman Kylo moved to approve and sign the comment letter. Seconded by Supervisor Schultz, the motion carried. Supervisor Schultz moved to incorporate changes and remove redundancies from the resolution, and authorize signature outside the meeting to allow submission before the comment period. Seconded by Supervisor Ebner, the motion carried.

Tiller Corp Asphalt Plant

Mr. Mike Caron, Tiller Corporation, presented a proposal to install and operate an asphalt plant at the current sandpit. The market will support the additional production and the site holds sufficient aggregate reserves. The size and operation of the plant would be similar to that operated by Tiller in their Scandia pit. The location within the pit and screening will minimize impact on neighboring residents. Approximately 70% of the material used will come from the pit and would produce 100,000 to 150,000

WEST LAKELAND TOWNSHIP

August 3, 2015

7:00 p.m.

Oak-Land Jr. High

tons a year. The clerk was requested to schedule a tour of the Scandia facility for the supervisors. Construction would occur Spring 2016. No formal action was requested at this point.

Jane Grant-Abban Interim Home Occupation Permit.

No response was received from any request for input from the neighbors. Chairman Kylo moved to renew the interim home occupation permit. Seconded by Supervisor Schultz, the motion carried.

Bus Terminal for Stillwater School District

The board reviewed the proposed purchase of an 8.5 acre parcel on Manning Ave and 30th Street for a proposed school bus terminal. No application for rezoning has been requested as of yet. A public hearing will be required with the formal request. Neighboring residents raised concern over spot zoning to accommodate the bus terminal in a residential area.

Property Inspection, M&S Tree Service

Chairman Kylo made a site inspection of the property used by M&S Tree Service to evaluate if the burning being done on that site was from debris removed from the property or from debris brought in from work sites. Photographs documented the size of the burn area, and evidence of recent clearing for a septic system and fresh cuts where limbs and other brush were removed. The board was satisfied that the burn was from debris originating on the property, and was in compliance with the burn permit issued.

Road Maintenance Update

Seal coat is complete, and streets have been swept. Approximately 2.3 miles of streets were seal coated. An invoice should be received in the next month or so.

Mowing has been completed by the new contractor, with no complaints raised. Chairman Kylo noted that the board may want to consider an ordinance restricting the height of vegetation in the right of way.

The 18th Street cul de sac barricade has been installed with a reflective left arrow turn.

The State of Minnesota has confirmed the change of the speed limits on the southern ¼ mile on Nolan. The signs should be delivered in the next few weeks.

Draft Solar Ordinance

Washington County has chosen to not specifically address solar installations in the County code at this time. Chairman Kylo moved to authorize a public hearing for the draft Solar Ordinance as part of the Town Code. Seconded by Supervisor Ebner, the motion carried. Ms. Seifert was directed to schedule a hearing and Mr. McDonald was directed to draft a publication of the notice for hearing.

Additional Business

It was noted that there has been an ongoing issue with trespassers on the Aggregate Industries pit. Washington County Sherriff has been notified.

The Lower St Croix Partnership has moved their meeting dates which will make it conflict for Supervisor Ebner. Supervisor Schultz will attend the next meeting to determine the Township's level of interest.

WEST LAKELAND TOWNSHIP

August 3, 2015

7:00 p.m.

Oak-Land Jr. High

Chairman Kylo moved to approve the amendment of the community block development grant agreement. Seconded by Supervisor Schultz, the motion carried.

Chairman Kylo moved to transfer the job duties of maintaining development escrow and records from the deputy clerk to the clerk. Seconded by Supervisor Ebner, the motion carried.

Supervisor Ebner noted the planning commission discussion on the modification of the home occupation permit is moving to classify by business rather than by permit type. The type of business would indicate if a permit or certificate of compliance was the appropriate vehicle.

Adjourn

Having no further business, Supervisor Ebner moved to adjourn the meeting. Seconded by Supervisor Schultz, the motion passed. Chairman Kylo adjourned the meeting at 9:47 PM.

Respectfully submitted,



Elizabeth Vance
Recording Secretary