

West Lakeland Township

December 11, 2017

7:00 p.m.

Oak-Land Middle School

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 Viet-Hanh Winchell

Public hearing to vacate drainage and utility easements for the proposed plat of Autumn Run 2nd Addition by David Johnson and JG Hause.

Chairman Kylo called the public hearing to order at 7:02 PM. Mr. Dan Thurmes, Cornerstone Land Survey, presented the application. After preliminary plat approval, the developers would like to vacate the easements from the previous plat, Lot 5, located on the current plat, Lot 4. The request has been reviewed by the Township engineer. Mr. Dupay noted this is standard procedure when land is replatted. No public comments were offered. Chairman Kylo closed the public hearing at 7:05 PM

Call to Order

Chairman Kylo opened the regular meeting of the Town Board of Supervisors at 7:05 PM.

Vacation of Easements, Autumn Run Second Edition

Chairman Kylo opened for discussion of the vacation of easements. No concerns were noted. Chairman Kylo moved to direct a resolution documenting the vacation of the existing drainage and utility easements for Autumn Run Second Edition. Seconded by Supervisor Schultz, the motion carried.

Modification of Lot Lines, Autumn Run Second Edition

Mr. Dan Thurmes presented a request to modify the lot lines between lots seven and eight in order to provide a better location for septic systems on each of these lots. This creates nonstandard lot configurations with the lots on the top of the slope, but addresses the issue of finding sufficient suitable soils. The existing driveway is creating issues with compacted soils, causing the first selected location for the septic system to be not feasible. Ms. Winchell noted the town code does restrict non standard lot configurations, referencing section 12.10.1. The board determined this would require a variance, and directed a public notice be prepared, and referred the request to the Planning Commission for review.

Approval of the Minutes

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

Treasurer's Report

Ms. Olsen presented the treasurer's report for November 2017, reflecting \$40,339 in receipts and \$96,169 in expenses. Supervisor Ebner moved, seconded by Supervisor Schultz, to accept the report. The motion carried.

Supervisor Ebner moved to pay the invoices presented by the treasurer and clerk. Seconded by Supervisor Schultz, the motion carried.

Public Comment

No public comment was offered

West Lakeland Township

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7:00 p.m.

Oak-Land Middle School

Request to Retain Accessory Building

Mr. Joe Winter, 14025 23d St Ct N, presented a request to keep the three 10x12 buildings and one 12x27 accessory building on his property. When granted the permit to build the newest structure, 30x54, Mr. Winter was given 30 days to remove the three previous structures and become compliant with the ordinance. Mr. Winter would like to retain all the structures. To retain the additional buildings would require a variance to the town code, and there is nothing evident that would support such a variance. The board did support an extension to the time allowed for the removal of the structures, in light of the inclement weather. Supervisor Schultz moved to authorize an extension until May 1, 2018 for the removal of the two 10x12 buildings and the 12x27 accessory building from the property. Seconded by Chairman Kylo, the motion carried.

Assisted Living Facility, 14410 21st St N

Chairman Kylo summarized the issue with the assisted living facility operated by Mr. and Mrs. Fitzgerald at 14410 21st St N. It has come to the attention of the board that the use has changed since the building permit was issued and now, resulting in violations of the town code, as documented by Attorney Winchell. Ms. Fitzgerald noted that the request for the assisted living facility was presented in 2008 to the board, and were not aware of any additional requirements needed. At that time, the board took no action, noting that 6 or fewer non-related persons residing in a single family home are considered as a single family under the town code. Mr. Isaac Stensland believes that requesting the license for the facility generated a change in use. The request to move to 10 residents moves the facility outside any definition of single family residence.

The facility is in compliance with the requirements of the licensing agencies, but are not in compliance with the state building code, as clarified in 2015. The board is not familiar with the requirements of the licensing agencies.

The board would like Mr. and Mrs. Fitzgerald to meet with a design professional to determine how the facility could be brought into compliance with the building code.

Sign Resolutions

The following resolutions were signed by the board

- R-2017-14 – withdraw from Gateway Corridor
- R 2017-15 – designate precinct polling places for 2018 elections
- R 2017-16 – deny Stephen H Land Company request for Variance
- R 2017-17 – preliminary plat approval for Autumn Run 2nd Edition

2018 Animal Control Service Agreement

The board will renew animal control services with Ms. Kathi Pelnar. After investigation, it was not possible to find an alternative impound facility, resulting in increased costs for mileage, overnight kenneling, and after hours service calls. Supervisor Ebner moved to approve the contract and amend the fee schedule to reflect the new charges. Seconded by Supervisor Schultz, the motion carried.

Lake Elmo Airport Expansion

Supervisor Schultz presented an update on the Lake Elmo Airport and reroute of 30th Street. The next MAC engagement meeting is scheduled for January 16. The last meeting presented

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alternatives for the reroute of 30th Street. Concerns were raised with the safety of the designs, the drainage issues that may result, and the condition of the remainder of the road. The next step is the environmental review, to be published in late January 2018.

Old Business

Ms. Seifert discussed with the board the possible dates for the 2018 budget meeting.
Mr. Dupay announced his intent to resign from the planning commission.

Adjourn

Having no further business, Supervisor Ebner moved to adjourn. Seconded by Chairman Kylo, the motion carried. Chairman Kylo adjourned the meeting at 9:12 PM.

Respectfully submitted,



Elizabeth Vance
Recording Secretary