

West Lakeland Township

September 10, 2018

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. Mark Votava, Planning Commission Chair; Ms. Viet Hahn Winchell, Attorney, Mr. Ryan Stempski, Town Engineer

Public Hearing to Vacate Easements at 1499 O’Ryan Trail

Chairman Kylo called to order a public hearing to consider vacating existing easements for drainage and utilities at 1499 O’Ryan Trail at 7:00 PM. Mr. Dave Dupay representing the landowner explained the reasons for the vacation of the easements. The lot lines were adjusted, and new easements were established on the new lot lines. With the new easements on the new lot lines, the previous easements are redundant. Ms. Vance reported the planning commission reviewed the request, and recommended approval, contingent on the documentation of the new easements. Chairman Kylo opened for public comment. Having no comment, Chairman Kylo closed the public hearing at 7:08 PM

Call to Order

Chairman Kylo called the regular meeting of the Town Board of Supervisors to order at 7:08 PM.

Request to Vacate Easements at 1499 O’Ryan Trail

Chairman Kylo noted that it is routine to vacate previous easements and establish new easements on the new lot lines when lot lines are relocated. After discussion, Chairman Kylo moved to approve the vacation of the current drainage and utility easements along the former lot line subject to establishment of new easements on the new lot line with the documentation to be prepared by the township attorney, and to authorize the township attorney to prepare a resolution documenting the decision. Seconded by Supervisor Ebner, the motion carried.

Approval of the Minutes

Chairman Kylo moved to approve the minutes of the August 2018 regular meeting. Seconded by Supervisor Schultz, the motion carried.

Treasurer’s Report

Ms. Olsen presented the treasurer’s report, including \$50,313 in receipts and \$41,874 in expenses. Chairman Kylo moved to approve the report and pay the invoices presented by the clerk. Seconded by Supervisor Ebner, the motion carried.

Public Comment

Mr. John Beulow presented comments on the condition of township roads. He considers the roads to be in poor repair, and the maintenance of the roads to be insufficient. Chairman Kylo commented on the cost of road replacement, and the need to phase road repair into a long-term plan. Many the township roads are now reaching maturity. Supervisor Schultz noted that there are number of roads that need repair, and the township is investigating methods and developing a comprehensive plan to address the need.

Proposal to create and preserve the St. Croix Bluff lands, the Hudson Islands, and Quarries, into a National Park/Monument or State Park

Ms. Sophia Fix presented a proposal to create and preserve the St Croix Bluff lands, the Hudson Islands, and Quarries into a National or State Park. At this point, this is a board concept, with the intent to raise awareness and begin to build consensus around the proposal. Supervisor Ebner suggested the

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presentation to be given to the Lower St Croix River Management Organization. This proposal is a long-term project.

Trees in the Right of Way

Mr. Bob LaBrosse appeared before the board to discuss the trees that were removed from the right of way at his property. His contention is the removal was arbitrary, and the trees should be replaced. Supervisor Schultz noted the trees were in the right of way and were small enough to be included in the mowing the right of way. Over time, trees in the right of way do provide a hazard. Chairman Kylo acknowledge that there are several properties with trees in the right of way, and gaps in township maintenance. The general policy is that if the trees appear to be maintained, they are not clear cut. There is a difference of opinion if these trees were being maintained.

Ms. Winchell noted that the township does have the right to maintain the right of way, including the removal of any trees in the right of way without a requirement to notify the landowner unless the tree is more than 6" in diameter.

Mr. Schmitt, who has the township mowing contract, noted he considered these to be unmaintained, and thus included in the right of way mowing path. He offered Mr. LaBrosse to replace the trees.

Reconstruction of 4th Street and 6th Street Loop

Mr. Ryan Stempski reported on the rationale for more extensive repair of 4th Street and 6th Street Loop. He noted these roads have significant alligator cracking and pop outs so that standard maintenance solutions are no longer effective. The proposal is to first review for a reclamation of the road surface. This allows for a repair of the base, which a mill and overlay solution would not provide. The estimate for this repair would be about \$583,000. The intent is to request for bids by early March, for completion in August or September.

The proposal will be reviewed at the next meeting.

Autumn Run Three

Ms. Winchell, township attorney, noted the appeal to the variances granted for Autumn Run 3 have been withdrawn. The developer did provide for an extension on the approval of the preliminary plat, and this will be addressed at the October regular meeting

Modification of the Rear Setback for Accessory Structures

Chairman Kylo presented a proposal to modify the setback in the town code for the rear lot line. The 50-foot setback is a limitation on where several landowners can location an accessory structure, driving the need for additional variance requests. In the past, this was 25 feet, and was changed to 50 feet to align with Washington County Code. Now that Washington County is no longer responsible for zoning and development of this sort, Chairman Kylo would like the setback to be reviewed. Chairman Kylo moved to refer the proposal to the planning commission for review. Seconded by Supervisor Schultz, the motion carried.

BOLDPlanning Software

Ms. Seifert reported to the board on her inquiries regarding the time commitment and work requirements to support the BOLDPlanning software. At the onset, this would add about 2 hours per week. After the data is established, this will drop substantially. The first year or two is the

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establishment of the data and structure. It was suggested that Ms. Seifert continue to attend the schedule training and hands on workshop and report again to the board.

Election Equipment

Ms. Seifert requested the board consider purchasing stanchions to support the general elections held by the township in lieu of renting. The return on investment is 1.5 elections. Supervisor Schultz moved to authorize up to \$500 for purchase of stanchions. Seconded by Supervisor Ebner, the motion carried.

Seal Coat Bid

Two bids were received for sealcoat, from Gopher State and Allied Blacktop. Supervisor Schultz moved to approve the bid from Gopher State Sealcoat at \$23,496. Seconded by Supervisor Ebner, the motion carried.

Additional Business

Ms. Winchell noted that Mr. Tobin is still pending moving forward with his request for a variance to lot size to allow an area of less than 2.5 acres to be transferred to his neighbor in Lake Elmo in exchange for the vacation of a long-standing easement. When this is ready to be revisited, it was recommended a new public hearing be called. A written request from Mr. Tobin is required by September 25th if the board is not to act on the requested action.

Ms. Winchell suggested minor changes to the proposed permit fee language. Supervisor Ebner noted the comments and will return to the board with additional revisions.

The board signed the resolution R-2018-12, recording the approval of the variance granted to Mr. Michael Wurst.

Supervisor Ebner noted he will be unable to attend the planning commission meeting. Chairman Kylo will attend in his stead.

Supervisor Schultz noted an email was received from MAC informing of the FAA finding of no significant impact/record of decision for the runway extension and associated improvements at the Lake Elmo Airport. MAC has not released findings. The board will consider next steps at the October meeting.

Adjourn

Having no further business, Chairman Kylo moved to adjourn the meeting. Seconded by Supervisor Schultz, the motion carried. Chairman Kylo adjourned the meeting at 10:03 PM.

Respectfully submitted,



Elizabeth Vance
Recording Secretary