

**EUREKA TOWNSHIP**

**DAKOTA COUNTY**

**STATE OF MINNESOTA**

**Planning Commission Special Meeting of February 5, 2018**

**Call to Order**

Chair Sauber called the meeting to order at 7:00PM. Planning Commission members present were Nancy Sauber, Ralph Fredlund, Julie Larson, Randy Wood and Bill Funk. Supervisor Donovan Palmquist was the Town Board liaison. Township Attorney Martin Norder was also in attendance. Deputy Clerk Cheryl Murphy recorded the minutes.

**Approval of the Agenda**

Chair Sauber pointed out that the Planning Commission meeting date was changed from February 6, 2018, to February 5, 2018, because February 6 is Caucus night and meetings cannot be scheduled on Caucus night. Because of the change, the Planning Commission Meeting tonight is considered a special meeting and the Planning Commission needs to adhere to the Agenda that was previously published.

**Other Land Use and Zoning**

**Patrick and Jean Mahowald – 6429 265<sup>th</sup> Street West**, and Carol Cooper, Attorney representing the Mahowalds– Lot Split Approval Application.

Chair Sauber stated that everything on the application was in order. Chair Sauber moved to recommend to the Board to approve the Lot Split Application for Patrick and Jean Mahowald at 6429 265<sup>th</sup> Street West, in which they are going to split PIN 130260026012 into two parcels. One parcel is 2.9 1 acres and 0.63 acres, the latter of which will then be combined with the adjacent 5-acre parcel PIN 130260027010. Commissioner Fredlund seconded. Motion carried 5-0.

**Resident Inquiry**

**Dan Adelman and Jackie Adelman Sheehan, 6631 226<sup>th</sup> Street West.**

Mr. Adelman inquired about a building right distribution and a grandfathered right. Chair Sauber stated that the grandfathered right does not take away a native right.

**John Daniels and Steve Johnson representing Bachman's.**

Mr. Daniels and Mr. Johnson stated they would be expanding their production greenhouse that sits behind the store. They wanted to share their design with the Planning

Commission and they will present their application at the March Planning Commission Meeting.

Chair Sauber directed Deputy Clerk to email Mr. Daniels an Ag Permit application on Tuesday.

### **Town Board Liaison – Supervisor Palmquist**

- Discussion on Building Inspector contract. Supervisor Barfknecht and Supervisor Palmquist to meet the Attorney Lemmons regarding the contract. Darrel Gilmer to still do Septic Permit Applications.
- Living Waters sign permit extension request. Clerk to notify Living Waters of the requirement to pay one-half of the original permit fee to extend the permit.
- Motion made to direct Township Attorney to make noted changes to the Employee Complaint Procedure and the Ordinance Violation Complaint Procedure documents.
- Motion made to adopt Resolution Number 2018-01, Designation of Polling Place.
- Two previous complaint follow-ups were discussed. Letters to be sent by Clerk to property owners.
- Motion made to direct the Township Attorney to send a letter to Gary Schmidt, Metropolitan Airports Commission, copying the City of Lakeville, regarding the Town Board's intent to pursue an orderly annexation of the entire Airlake Airport property to the City of Lakeville.
- The 2040 Comprehensive Plan has been suspended by the Metropolitan Council pending additional information, and that information has now been provided.

### **Old Business**

#### **Jody Arman-Jones – Newsletter**

Chair Sauber stated that Jody was not available for tonight's meeting. If any Planning Commission members have any corrections or changes you can send them directly to Jody.

#### **Review of Attorney Building Rights Transfer Application, Clustering Agreement, and Procedures.**

Chair Sauber moved to recommend to the Board the Fifth Draft of the Procedures (eliminating the words "Fifth Draft"). Commissioner Fredlund seconded. Motion carried 5-0.

Chair Sauber moved that the Planning Commission forward the Residential Building Right Transfer Application to the Board for adoption. Commissioner Fredlund seconded. Motion carried 5-0.

Chair Sauber moved that if the Board adopts the Residential Building Right Transfer Application, that the Deputy Clerk will use the filled-in application for lamination. Commissioner Fredlund seconded. Motion carried 5-0.



## **Building and Land Use and Zoning Application Procedures Review**

Chair Sauber recommended two changes on page 2. Change "Administrat" to "Administrator" and to place a period after #10.

Commissioner Fredlund moved to forward the Building and Land Use and Zoning Application Procedures to the Town Board for approval with the addition of the two changes. Commissioner Larson seconded. Motion carried 5-0.

## **Fence Applications and Procedures**

Chair Sauber stated we are not ready to move on this. Attorney Norder and Planning Commission to discuss with Attorney Lemmons, starting with the Ordinance language.

## **Review of Permit Applications to be Laminated**

- **Remodeling Building Permit Application** – Commissioner Fredlund moved to forward the Remodeling Building Permit Application to the Board for approval for lamination. Chair Sauber seconded. Motion carried 5-0.
- **Representative Authorization Form**- Commissioner Fredlund moved to forward the Representative Authorization Form to the Board for approval for lamination. Commissioner Wood seconded. Motion carried 5-0.
- **North Cannon Watershed Storm Water Permit Application** – Chair Sauber moved to advance the North Cannon Watershed Storm Water Permit Application to the Board to be laminated. Commissioner Funk seconded. Motion carried 5-0.
- **Mechanical Permit Application** – Commissioner Larson moved to forward the Mechanical Permit Application to the Board for lamination. Commissioner Fredlund seconded. Motion carried 5-0.
- **Plumbing Permit Application** – Chair Sauber moved to forward the Plumbing Permit Application sample to the Board for lamination. Commissioner Larson seconded. Motion carried 5-0.
- **Septic System Holding Tank Permit Application** – Chair Sauber noted that we should add a checkbox on the application that states to "Attach a Site Plan". Deputy Clerk to make changes (including mailing address) and bring back to the March meeting.
- **Building Addition or Remodeling with a Change of Use Permit Application** – Chair Sauber requested the following changes:
  - Revision date
  - Attach Site Plan
  - Revise Mailing Address
  - Update Ordinance Reference from Ordinance 4, Chapter 4, Section 7, C. Wording has been changed

Deputy Clerk to make changes and bring to the March Meeting.

- **Driveway Permit Application** – Chair Sauber requested the following changes:
  - Over the Counter Permit – Remove wording at the top.
  - Value needed.
  - Revision Date.
  - Attach Site Plan checkbox – (Refer to Ordinance 3, Chapter 3, Section 5B, Number 1.
  - Remove extra box under “Project Details”.
  - No Planning Commission/Town Board review needed if only for driveway.
  - Check distance to property lines and intersections.

Deputy Clerk to make changes for March meeting.

- **Less than 50 Sq. Ft. Sign Permit Application** – Chair Sauber suggested the following changes to be brought back to the March meeting.
  - Type of Structure – remove boxes
  - Change Mailing Address
  - Attach Site Plan
  - Revision Date
- **Exempt Agriculture Building Permit Application** – Chair Sauber recommended the following changes to be brought to the March meeting:
  - Height of Fence
  - Mailing Address
  - Revision Date Attach Site Plan
- **Building Permit Application** – Chair Sauber recommended the following changes to the application to be brought back to the March meeting:
  - Nearest driveway out
  - Update language on Ordinance 3, Chapter 4, Section 7, C
  - Fence Height
  - Add Solar
  - Signs less than 50 square feet
  - Line for total project square footage
  - Attach Site Plan

### **Commissioner Funk Update on Ordinance/Building Code Conflicts**

Commissioner Funk stated there were no conflicts found. He also said that if the Planning Commission members have specific concerns to contact him.

### **Ordinance on Right-of-Way Plantings**

Discussion was held on vegetation in right-of-way. Places like Dodd Road have the 110 foot right-of-way. Lots of violations to that, but most of that were there prior to the widening of the road and it is very hard to enforce.

Chair Sauber quoted from page 62 of the Ordinance book stating no trees, shrubs or hedges shall be planted closer than 20 feet back from the road or right-of-way.

Attorney Norder stated that there is a landscaping permit from the County to plant in the right-of-way on County roads.

Chair Sauber said that the Planning Commission has decided, "No trees, shrubs or hedges shall be planted in Township road rights-of-way or ditches". The Planning Commission will have to have a Public Hearing regarding the change.

### **Minutes Approval**

#### **January 2, 2018 - Planning Commission Meeting Minutes**

Commissioner Fredlund moved to approve the Planning Commission meeting minutes of January 2, 2018, as amended.

Chair Sauber moved to adjourn the meeting. Commissioner Fredlund seconded.

Meeting adjourned at 8:45 PM.

Respectfully submitted,

Cheryl Murphy  
Deputy Clerk



# EUREKA TOWNSHIP

Dakota County, Minnesota



## Planning Commission Meeting

Attendance

Monday, February 5, 2018

7:00 PM

Name

Pat Mahowald

Carol Cost

Curie Janning

John Daniels