

Public Hearing

June 7, 2005

Eureka Township

Dakota County

Held by the Eureka Town Board 2nd Public hearing for proposed ordinances

Members Present: Connie Anderson, Dan Rogers, Cheryl Monson, Mark Malecha and Gloria Belzer and Clerk/ Treasurer Nanett Leine to record the minutes.

Planning Commission Members present: Mike Greco, Francie Madden, Corey Behrendt and Rich Stevens.

Meeting was called to order at 7:00 PM by Connie Anderson

Meeting opened with the pledge of allegiance.

Chair Connie Anderson explained the procedure for the public hearing. Public comment will be taken on the changes made by planning commission and the town board since the last public hearing.

Changes to the proposed ordinances are highlighted (printed in color). Some of these changes were significant enough that the attorney, town board and planning commission felt it was necessary to have a second public hearing for citizen's comments on the changes.

Chair Connie Anderson opened the floor to public comments:

Written comments were received from Timothy J. Kuntz (*see attached*)

Nancy Sauber- 9445 225th St W Lakeville

Comments are in relation to the memo by Timothy Kuntz. (Page 63) regarding to the distance of 350 feet from the property line when requesting a conditional use permit. 350 feet is not adequate. Houses are generally farther apart. Sending notice by first class postage, it is not a significant expense; she believes 1,000 feet at a minimum would be more appropriate.

The required numbers of members to pass a conditional use permit or variance- have a five member board. A CUP once granted cannot be taken away or changed unless with agreement of the holder, also with a variance, once granted it cannot be taken away. A simple majority of the board is not adequate. Something that is so significant that would make a big impact on a neighborhood. It should be a majority of a full board. Not two people out of a quorum. (Minimum of 3 votes)

Carolyn Papke- 5965 235th St W Farmington

Her comments were on organization. Is their going to be an index? It is hard to find contents.

Jeff Belzer- 24335 Dodd Blvd Lakeville

Definition of livestock-it is a permitted use in Agricultural district. He does not understand the first sentence on page 14. The way it is defined any animal is livestock, even exotic animals, even though they are prohibited. Conflict- "used by person for use"- explain what "use" is. What animal is not used for pleasure? To avoid conflicts and numerous lawsuits it should be defined, the way he reads it- it includes anything that is an animal. TO be able to control a permitted use, should be able to define what livestock is.

Butch Hansen- 22160 Dodd Blvd Farmington

Firearms- Chapter 4 (page 89) If I have a permit to carry a concealed firearm I cannot do this in the township. Is this the board's intent, it is a major change in policy than what was discussed at planning commission. Firearms- list b-b guns? A sixteen year old can legally hunt pheasants without an adult as long as they have firearm safety training. If his grandson comes to his property to hunt pheasants, they would not be able to do so, because it is his property, not theirs. His concerns are if youth are able to hunt and carrying of hand guns.

Mike Greco- 25452 Ipava Ave. Lakeville

He has concerns on the square footage for external signs. Need to take a look at the sign policy.
Building inspector input.

Nanett Leine- Clerk/ Treasurer

Signs- Fees- need a fee for signs less than 50 square feet. The building inspector said they should be inspected for safety. Any sign over 6 feet tall is suppose to be inspected. Proposed a \$25.00 application fee plus inspection fees.
Application for a CUP- page 63- "applications for a conditional use permit will not be accepted from anyone who is not an owner of land" Applications should be signed by all owners of the land.
Page 43- structure setbacks- set back from roads is not in the ordinance. 100 feet from township roads and 110 feet from county roads.

Butch Hansen-

Do we have something in place to limit the outside fees for a CUP? There needs to be some kind of limitation put in place so outside fees for CUP applicant do not get out of control, because someone in the township is making a bigger issue than it needs to be. Ceiling cost of \$1,000, not open ended.
\$250 fee for CUP which is 2 ½ times what we charge today.
He feels the livestock definition follows MN State Statutes.

Hearing no more public comments Chair Connie Anderson closed the Public hearing at 7:33 pm.