

EUREKA TOWNSHIP
Dakota County, State of Minnesota

PLANNING COMMISSION MEETING
June 7, 2022-7:00pm

Call to Order

The Planning Commission Meeting was called to order at 7:06pm by Chair Clancy

Commissioners Present: Bill Clancy (Chair)
Debbie Burkhardt (Vice Chair)
Randy Wood (Commissioner)
Chad Berg (Commissioner, via Zoom)
Beth Eilers (Commissioner)

Others Present: Amy Liberty (Deputy Clerk), Nancy Sauber, Ralph Fredlund, Dan Adelmann, Amy Jo & Erik Oksnevad, Sarah Lybarger
Zoom participants: Char Adelmann, Julie Larson

Approval of the Agenda

Correction of PID 13-00900-50-013 to read as PID 13-00900-50-015

Addition to **Old Business**: B. Eureka Township Planning Commission Activity Tracker

Motion: Chair Clancy moved to approve the agenda as amended. Commissioner Wood seconded. *Roll call vote*: Chad Berg-Aye; Randy Wood-Aye; Bill Clancy-Aye; Deb Burkhardt-Aye; Beth Eilers-Aye. *Motion carried 5-0.*

Citizen Inquiry

Sarah Lybarger, 25135 Cedar Ave., 13-02100-02-011, * how to obtain a variance

Ms. Lybarger was interested in the process of obtaining a variance and if it would be one way to allow an accessory building to be built that did not meet the setback requirements. Using the whiteboard, she drew her property and neighboring properties, explaining that items would have to be built in the middle of her yard if she were to follow all the regulations. It was explained that the landowner must show the variance is necessary to alleviate practical difficulties or a particular hardship. It is not for those that just don't want to comply. A full description is detailed in the Township's Code of Ordinances.

Ordinance 3, Chapter 4, Section 16.

Land Use

Dan & Char Adelmann, PID 13-00900-50-015; Erik & Amy Jo Oksnevad, PID 13-00900-50-014

*Variance-shared driveway

The Adelmann's are requesting a necessary variance to alleviate practical difficulties and hardship resulting from strict application of the Shared Driveway Ordinance 4, Chapter 2, Section 3. The Adelmann's presented a letter from Progressive Rail which states the crossing (driveway) should be left as is. Under the current ordinance, the driving surface for a shared driveway is to be at least twenty-four (24) feet in width. This, according to Progressive Rail, would not be ideal. Wider crossings are harder to maintain, drivers take more chances and the disruption to the existing railroad right-of-way could lead to problems in the railway itself.

Chair Clancy illustrated the short portion of the shared driveway that crosses the railway to help with the discussion on this variance request. The drawing also indicated a wider entrance apron that will funnel down to the narrow crossing. The reduction of width from the entrance apron to the railroad crossing is a must for safety reasons. It was also suggested during the discussion that the current stop signs by the railroad crossing should be replaced since the reflective material is faded.

Motion: Commissioner Wood moved to recommend approval to the Town Board for the variance application for Dan & Char Adelmann, 23733 Hamburg Ave., PID 13-00900-50-015. Vice Chair Burkhardt seconded.

Roll call vote: Chad Berg-Aye; Randy Wood-Aye; Bill Clancy-Aye; Deb Burkhardt-Aye; Beth Eilers-Aye. *Motion carried 5-0.*

The Planning Commissioners advocated that at the June 14th meeting, the Town Board make a motion to schedule The Board of Adjustments and Appeals hearing regarding the variance request.

Permit Requests

Erik & Amy Jo Oksnevad, 23633 Hamburg Ave. Lakeville, PID 13-00900-50-015.

*New Home Construction

Both Erik and Amy were present at the Town Hall to answer any questions the Planning Commissioners may have. A full new residence packet was presented along with a completed new home checklist. The Planning Commissioners reviewed the items and began discussing the building permit application for a 2000 sq. ft., look-out rambler, with a partially finished basement. The septic system site plan drawing proved to be the best document to review for zoning and setback requirements. It was noted that the distance of 256 ft. from the north side of the proposed house to the property line was not on the site map, along with a few other measurements. These will be added before forwarding the packet to the Town Board. It appears that all setbacks are met.

The shared housing right request to be designated to this parcel was not disputed by any Planning Commission members, however a question arose regarding the Dakota County Farmland and Natural Area Program. An explanation regarding this matter was included in a verification letter written by Jeff Otto and will be contained in the property file.

Motion: Chair Wood would like the Planning Commission to make a recommendation of approval for Erik & Amy Jo Oksnevad, PID 13-00900-50-014, at 23633 Hamburg Avenue. Vice Chair Burkhardt seconded the motion.

Roll call vote: Chad Berg-Aye; Randy Wood-Aye; Bill Clancy-Aye; Deb Burkhardt-Aye; Beth Eilers-Aye; *Motion carried 5-0.*

This application will be reviewed after the variance request is granted.

Town Board Liaison Report

Supervisor Sauber shared items that were discussed at the May Town Board meetings.

A few highlights:

May 10, 2022, Special Town Board Meeting

The purpose of this meeting was to discuss the possibility of a township-specific ordinance enforcement procedure. The board approved Troy Gilchrist to draft an administrative enforcement procedure for Eureka Township.

May 10, 2022, Town Board Meeting

- William Roske's Building Permit-approved
- Dan and Char Adelman's Lot Splits-approved
- Annual CUP review: Spirit Ranch I, Chris Hale-no show
- Mining Moratorium is in effect
- Fees on the billing schedule will be reviewed

May 24, 2022, Town Board Meeting

Board approved roughly \$3,000 for safety signs for the temporary road closure of 245th up to the Scott County line. Adding gravel to this section would have cost between \$8,000-\$10,000 if it were to remain open.

Citizen Inquiry about agriculture drain tiles-the Township does not have an ordinance regarding drain tile, however, Farm Services Agency and Soil Water Conservation District do. The clerk sent a letter to the citizen and agencies to make all aware of the inquiry.

Old Business

Accessory Building Measurements

Vice Chair Burkhardt created a chart of the findings regarding building measurements to help direct discussion. The Planning Commissioners will continue to review to help determine possible ordinance language changes in the future. The goal is to make sure the measurement process is clear.

- Solar array measurement research requested from the Town Board was conducted and the Planning Commissioners came to an agreement of proper measurement. This is important since this counts towards the total of square footage of accessory buildings allowed on a property. Discussion expanded further with talk of specific requirements once the solar arrays reached its lifespan and how the current ordinance may need to be updated.

Motion: Chair Clancy moved that the Planning Commission recommend to the Town Board that ground mounted solar arrays be measured off the four corner driplines, in the normal operating position, to calculate total square feet applicable to the maximum accessory building square footage. Vice Chair Burkhardt seconded.

Roll call vote: Chad Berg-Aye; Randy Wood-Aye; Bill Clancy-Aye; Deb Burkhardt-Aye; Beth Eilers-Aye; *Motion carried 5-0.*

New Business-NONE

Minutes Approval

Motion: Commissioner Clancy moved to approve the February 17, 2022, Special Town Board and Planning Commission meeting minutes as drafted. Commissioner Berg seconded. *Roll call vote:* Chad Berg-Aye; Randy Wood-Aye; Bill Clancy-Aye; Deb Burkhardt-Aye; Beth Eilers-abstained. *Motion carried 4-0-1.*

Motion: Commissioner Clancy moved to approve the May 3, 2022, Planning Commission Meeting minutes accepted as drafted. Commissioner Eilers seconded.

Roll call vote: Chad Berg-Aye; Randy Wood-Aye; Bill Clancy-Aye; Deb Burkhardt-Aye; Beth Eilers-Aye. *Motion carried 5-0.*

Deputy Clerk Matters-Solar permit application

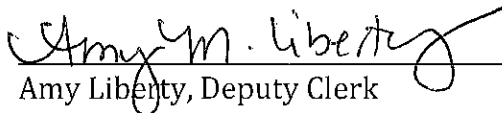
Clarification of what requirements are needed to obtain a roof-mounted solar system permit. This matter will be added to the July Planning Commission meeting agenda.

Adjournment

Chair Clancy moved to adjourn the meeting. No objections.

Meeting adjourned at 9:22pm.

Respectfully submitted,


Amy Liberty, Deputy Clerk

Minutes Officially Approved by: W T Clancy on: 7/5/22
Planning Commission Chair Date



Planning Commission Meeting

Attendance
Tuesday, June 7, 2022
7:00 PM

Printed Name:

Address:

<i>Grant Ferguson</i>	<i>2388 Fenner G</i>
<i>Nancy Souber</i>	<i>9445 225th St. W. LKV</i>
<i>Dan Adlmann</i>	<i>23733 Hamburg Ave. LKV.</i>
<i>Amy Jo and Erik Oksnevad</i>	<i>23633 Hamburg Ave. LKV.</i>
<i>Sam Lybarger</i>	<i>25135 Cedar Ave.</i>