

EUREKA TOWNSHIP
Dakota County, State of Minnesota

PLANNING COMMISSION MEETING
May 4, 2021 - 7:00 p.m.
Via Teleconference

Due to the Peacetime Emergency and social distancing guidelines, the Town Board Chair has determined it is neither practical nor prudent to conduct an in-person meeting. Accordingly, under Minnesota Statute section 13D.021, the following meeting shall be conducted entirely through teleconferencing or other electronic means.

Call to Order

The Planning Commission Meeting was called to order at 7:00 P.M. by Vice Chair Wood.

Commissioners Present: Randy Wood
Bill Clancy
Julie Larson
Chad Berg
Debra Burkhardt

Others Present: Ranee Solis (Town Clerk), Amy Liberty (Deputy Clerk), Nancy Sauber, Donovan Palmquist, Ralph Fredlund, Jeff Otto, Dan Adelman, John Rees, Bob Klocker, Jane Klocker, Georgie Molitor and Jody Arman-Jones.

Election of Planning Commission Chair and Vice Chair

Current members:

Randy Wood (term expires 2023)
Bill Clancy (term expires 2022)
Julie Larson (term expires 2023)
Debra Burkhardt (term expires 2024)
Chad Berg (term expires 2024)

Commissioner Wood opened the floor for nominations for the 2021-2022 Planning Commission Chair. Commissioner Larson nominated Randy Wood for Chair, seconded by Commissioner Clancy. Hearing no others, the floor was closed for nominations. Roll call vote: Julie Larson – Aye; Bill Clancy – Aye; Chad Burkhardt – Aye; Debra Burkhardt – Aye; Randy Wood – Aye. *Nomination passed 5-0.*

Commissioner Wood opened the floor for nominations for the 2021-2022 Planning Commission Vice Chair. Commissioner Larson nominated Bill Clancy for Vice Chair, seconded by Commissioner Wood. Hearing no others, the floor was closed for nominations. Roll call vote: Randy Wood – Aye; Julie Larson – Aye; Chad Berg – Aye; Debra Burkhardt – Aye; Bill Clancy – Aye. *Nomination passed 5-0.*

Approval of the Agenda

The following changes were made to the agenda:

1. Add item A. Dan Adelman, housing right determination under Citizen Inquiry.

Motion: Chair Wood moved to approve the agenda as amended, seconded by Commissioner Larson. Roll Call Vote: Randy Wood – Aye; Julie Larson – Aye; Bill Clancy – Aye; Debra Burkhardt – Aye; Chad Berg - Aye. *Motion carried 5-0.*

Citizen Inquiry

Dan Adelman – Housing right determination

Dan Adelman requested a determination as to whether his 22-acre parcel with PID 13-00900-25-013 contains a housing right. Jeff Otto expressed his opinion that the quarter-quarter section currently contains a shared native housing right. The railroad right-of-way creates a split, thus creating a native right on both the Harmer parcel and the Adelman parcel. Mr. Adelman can create a shared driveway along the railroad tracks to his parcel containing the 100-ft frontage on Hamburg Avenue to meet the ordinance requirement.

Supervisor Sauber stated that the creation of a driveway by easement must be recorded at the County prior to issuance of a building permit. Jeff Otto added that a driveway must be in place in order to apply for a building permit, but does not affect the ability to transfer a housing right.

Commissioner Larson asked whether the intended lot split is time sensitive due to the pending annexation of the sending parcel into Lakeville. Jeff Otto responded that the housing right transfer must only be initiated within 30 days, and can be held for up to 90 days, to provide protection of the housing right from annexation. Mr. Otto requested permission to speak with the Township Attorney for confirmation, at the Adelman's expense.

Motion: Chair Wood moved to authorize Jeff Otto to speak with Chad Lemmons regarding the Adelman parcel with a response to be submitted in writing to the Clerk, seconded by Commissioner Larson. Roll call vote: Randy Wood – Aye; Julie Larson – Aye; Bill Clancy – Aye; Debra Burkhardt – Aye; Chad Berg - Aye. *Motion carried 5-0.*

Permit Requests

John Rees, 23755 Fairgreen Ave, PID 13-01100-51-020 – Accessory Building

John Rees presented an application for a 30x54 sq. ft. Accessory building to be used for personal storage.

Motion: Commissioner Larson moved to forward to the Town Board with a recommendation to approve the 30x54 sq. ft. accessory building for John Rees at 23755 Fairgreen Ave. with PID 13-01100-51-020, seconded by Chair Wood. Roll Call Vote: Randy Wood – Aye; Julie Larson – Aye; Bill Clancy – Aye; Chad Berg – Aye; Debra Burkhardt - Aye. *Motion carried 5-0.*

Land Use

Alex Schuhwerck Trust, 6595 225th St. W., PID 13-00300-02-010 – Lot Split

Bob and Jane Klocker presented an application for a lot split for parcel B, consisting of 37.06 acres and parcel C, consisting of 3.11 acres to be split from parcel A, consisting of 40.18 acres, and having PID 13-00300-02-010.

Motion: Commissioner Larson moved to forward to the Town Board with a recommendation to approve the lot split application for Alex Schuhwerck Trust at 6595 225th St. W. with PID 13-00300-02-010, seconded by Vice Chair Clancy. Roll Call Vote: Randy Wood – Aye; Julie Larson – Aye; Bill Clancy – Aye; Chad Berg – Aye; Debra Burkhardt – Aye. *Motion carried 5-0.*

Town Board Liaison Report

Supervisor Donovan Palmquist provided a summary of the April Town Board Meetings.

Old Business

Wind Energy Ordinance review

Chair Wood reported on his research for possible changes to the wind energy ordinance. In his opinion, there is some light housekeeping needed to the ordinance. He questioned whether the Conditional Use Permit requirement should be changed to an Interim Use Permit, and offered to continue researching this option.

New Business

Recommend discussion topics for Round Table meeting

Chair Wood expressed that the Round Table working meeting is the Commission's opportunity to communicate ideas and concerns with the Town Board and encouraged the Commissioners to relay any items of discussion they would like addressed to the Clerk for the agenda.

Vice Chair Clancy requested the following items for the Round Table meeting agenda: Mining ordinance text amendments, recodification status, Minnesota Association of Townships recommendations on returning to in-person meetings, and website redesign.

Set regular meeting dates for Planning Commission meetings

Motion: Vice Chair Clancy moved to set the regular meeting dates for the Planning Commission as the first Tuesday of each month, with the exception of Monday, November 1st as Tuesday, November 2nd is Election Day, seconded by Chair Wood. Roll call vote: Roll Call Vote: Randy Wood – Aye; Julie Larson – Aye; Bill Clancy – Aye; Chad Berg – Aye; Debra Burkhardt – Aye. *Motion carried 5-0.*

June 1, 2021	December 7, 2021
July 6, 2021	January 4, 2022
August 3, 2021	February 1, 2022
September 7, 2021	March 1, 2022
October 5, 2021	April 5, 2022
November 1, 2021	May 3, 2022

Determine liaisons to the Town Board meetings

The Planning Commission liaisons to the Town Board meetings were determined as follows:

May 10, 2021	Julie Larson
June 14, 2021	Bill Clancy
July 12, 2021	Julie Larson
August 9, 2021	Randy Wood
September 13, 2021	Randy Wood
October 12, 2021*	Debra Burkhardt
November 8, 2021	Randy Wood
December 13, 2021	Chad Berg
January 10, 2022	Debra Burkhardt
February 14, 2022	Bill Clancy
March 14, 2022	Chad Berg
April 11, 2022	Bill Clancy

New Pay Rate

Chair Wood announced that the Town Board has approved a new pay rate, effective May 1, 2021. Town Board Chair Palmquist announced that Supervisor Sauber advocated for equal pay for the Town Board and Planning Commission, which passed unanimously.

Minutes Approval

Minutes of the April 6, 2021, Planning Commission meeting

Chair Wood requested to remove the attachment of Commissioner Novacek's resignation from the minutes.

Motion: Chair Wood moved to approve the minutes as amended, seconded by Vice Chair Clancy. Roll Call Vote: Randy Wood – Aye; Julie Larson – Aye; Bill Clancy – Aye; Chad Berg – Abstain; Debra Burkhardt - Abstain. *Motion carried 3-0.*

Deputy Clerk Matters

Clerk Solis recommended review of permit forms and instruction sheets for needed changes over the next few meetings. Commissioner Berg pointed out that Section II, Chapter 7 of the Policies and Procedures manual states that the Planning Commission shall create a yearly work plan each May, to include ordinance and comprehensive plan review, permit form review, fall road review, annual road recommendations, and capital improvements plan. Supervisor Sauber admitted that this has fallen by the wayside over recent years, and there are no capital improvements planned. Chair Wood advised that, with the hiring of a Road Superintendent and creation of a Road Committee, the Planning Commission no longer performs the road-related tasks.

Chair Wood requested that the Commissioners submit their contact information to the Clerk.

