

EUREKA TOWNSHIP
Dakota County, State of Minnesota

PLANNING COMMISSION MEETING MINUTES
January 7, 2025

Call to Order

Chair Melanie Storlie called the Planning Commission meeting to order at 7:00pm and the Pledge of Allegiance was given.

Commissioners Present: Melanie Storlie (Chair), Donovan Palmquist (Commissioner),
Dave Wheeler (Commissioner), Brian Storlie (Commissioner)

Others present: Amy Liberty (Deputy Clerk), Randy Wood, Ashley Schultz

Zoom participants: Deb Burkhardt, Julie Larson, Jeff Otto, Linda Ripley, 651-xxx022, 9520

Approval of the Agenda

Motion: Chair Melanie Storlie moved to accept agenda as is. Commissioner Palmquist seconded.
Motion carried 4-0.

WSB Planner

At the November 12th, 2024, Town Board Meeting, it was decided to hire WSB to help advise the Planning Commission and Town Board.

Motion: Vice Chair Mark moved to accept WSB as our Planning and Engineering firm for Eureka Township. Supervisor Novacek seconded the motion. *Motion carried 4-0.*

Hannah Rybak will be working directly with the Planning Commission.

Old Business

Annual Meeting Power Point Slides

The Planning Commissioners discussed the presentation and ruled to add the meeting liaisons for Town Board, North Cannon River Watershed, and Airlake Airport (ALLAC) to the "What we Do" slide.

Motion: Commissioner Palmquist moved to forward this copy with the changes we talked about to the Town Board for approval. Commissioner Wheeler seconded. *Motion carried 4-0.*

Chapter 240 Zoning 1. Article VII. Domestic and Nondomestic Animals, Subsection 240-43.
(A closer look at Performance Standards)

The Commissioners discussed the proposed amendment and presentation submitted by a citizen and agreed that the proposed changes seemed reasonable and could potentially benefit the Township by allowing certain types of farming. However, there were concerns about whether the changes could open up the ordinance to other types of animals, and whether a conditional use permit might be required to ensure compliance.

Hannah Rybak offered her insight and stated a deeper look at what this means for other animals, not just in the context of chickens, would be necessary before any recommendation could take place. Land size and suitable land should be considered in the animal unit calculations as well. She recommended that the Planning Commission authorize WSB to investigate further and structure an ordinance that would best serve the Township.

Motion: Chair Melanie Storlie moved to have WSB continue to look into this a little deeper and come back with a draft ordinance recommendation. Commissioner Wheeler seconded the motion. *Motion carried 4-0.*

Squatter's Ordinance

The Planning Commission discussed their concerns with implementing a squatter's ordinance. Chair Melanie Storlie asked Hannah to share information she investigated.

Planner Notes on Draft Squatters Ordinance

- The term "squatter" is often used to describe any unwanted person on a property, but the term actually refers to a very specific scenario, called "adverse possession"
- Adverse possession is defined in MN State Statute (this varies from state to state, so scenarios in the news in other places would not necessarily be applicable here)
- In MN, it is a doctrine under which a squatter could acquire a property's title without purchasing it. To do this, a person must live on the property for at least 15 years, and pay the taxes on it for at least five years
- Trespassers – A person who does not meet the requirements to claim adverse possession – they are just there without permission. This is a criminal offense.
- Holdover Tenants – tenants who remain on the property after their lease has expired. Cannot claim adverse possession if they have been told to leave. In some situations they would be considered trespassers.
- Long-Term Guests – Have been invited to the space by the current occupant – if their presence violated the terms of the occupant's lease, the owner may file for the current occupant's eviction
- This is not a topic that is generally covered within a township or city's zoning ordinance. It may be appropriate in another area of the township's code though.
 - This issue is pretty squarely in the legal realm. Our recommendation would be to have the Township Attorney review and advise on whether an ordinance is legally necessary, or if state statute provides adequate coverage.
- The Township may want to consider other ordinances in this realm, such as a vacant property registration ordinance or a rental registration ordinance.
 - This would allow the township to be aware of any properties that will be vacant for a time (such a snowbirds or in the event of the death of a property owner), and if there are issues, a contact person has been designated. Similarly for rental properties – if there are issues, the owner would have agreed to rental rules and the addressing of any issues can be streamlined.

Motion: Commissioner Palmquist moved we do not recommend Eureka Township look into a squatter's ordinance. Commissioner Brian Storlie seconded the motion. *Motion carried 4-0.*

Approval of Meeting Minutes

Motion: Commissioner Palmquist moved to approve the minutes from the Planning Commission meeting on December 3, 2024. Commissioner Wheeler seconded the motion.

Motion carried 3-0-1 (Chair Melanie Storlie abstained)

Motion: Commissioner Palmquist moved to approve the minutes of the Planning Commission meeting December 9, 2024, the special meeting/public hearing. Chair Melanie Storlie seconded.

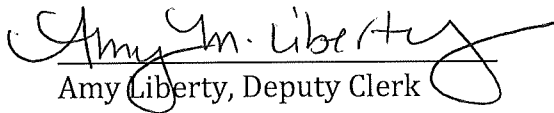
Motion carried 4-0.

Adjournment

Motion: Chair Melanie Storlie motioned to adjourn. Commissioner Palmquist seconded.

Motion carried 4-0. The meeting ended at 7:42PM.

Respectfully submitted,


Amy Liberty, Deputy Clerk

Minutes Officially Approved by:  _____ on: 2/4/2025
Planning Commission Chair Date



Planning Commission Meeting

Attendance

January 7, 2025

7:00 PM

Printed Name

Ruby Weiss

Psiley Schulte

Address

23775 Saax Ave

210851 Fpaw Ave