

Denmark Township Planning Commission Meeting
Haukedahl Minor Subdivision
Public Hearing May 18, 2020

This meeting was conducted via telephone conferencing pursuant to the Chairperson's statement issued under Minnesota Statutes, section 13D.021.

Planning Commission Members Present: Bob Barr, Steve Radke, Mike Kelz, Roger Lang
Ex-officio Kathy Higgins
Absent: Natalia Keene
Others Present: Ryan Krzos (WSB) and Troy Gilchrist (Kennedy-Graven)

7:00 PM Chair B Barr opened Public Hearing. Seth & Mindy Haukedahl Minor Subdivision
PID 04.027.20.21.0007 6211 Oakgreen Ave S Owners/Applicants Seth & Mindy Haukedahl present.

Applicants are requesting a subdivision of the current 31 acre parcel into two lots. The southern lot "Tract A" would retain the existing home with 9 acres with access onto Oakgreen Ave S. The northern lot "Tract B" would contain 22 acres with access onto 59th St S. City of Afton has issued a driveway permit for the requested access onto 59th St S. Property is located within the Rural Residential zoning district and is within the Shoreland Management Overlay district.

The proposed lots meet the minimum lot requirements for lot size, buildable area and minimum public road frontage. South Washington Watershed District has reviewed the proposed subdivision sit for the existence of wetlands and noted that the site for the proposed house and driveway construction is located on the bluff above Trout Brook outside of any wetland resources. SWWD concurred that no wetlands exist on the site and therefore does not require further action on the site regarding wetlands. Applicant would be required to enter into a Development Agreement with the Town and the creation of the additional lot would require payment of a park dedication fee.

Attorney requested Applicant provide final legal descriptions for completion of follow up documents.

Planner provided 05/12/20 staff report and based on the Findings of Fact recommended conditional approval. Applicants reviewed and agreed to the Findings and recommended conditions.

Public Comments-

Randy Schill 14520 59th St S- inquired on building front setback and access, easement or permanent. Front building setback would need to be at least 40 ft from property line. Applicant is proposing a 90 ft front setback. Driveway access will be on Applicants property (no easement needed) directly to access 59th St S.-

7:20 PM Haukedahl Public Hearing closed. Written comment period will remain open for 10 days. Written comments must be submitted to the Town Clerk. Planning Commission meeting opened.

Planning Commission consensus that request is straight forward and to recommend approval.

Motion S Radke/2nd M Kelz to forward the Haukedahl Minor Subdivision application to the Town Board with a recommendation of approval, based on the Planner's 05/12/2020 Findings Of Fact, and subject to the following conditions:

1. Development Agreement. The Applicant shall enter into a Development Agreement that is prepared by the Town Attorney. More specifically, the Development Agreement shall include provisions related to, but not limited to, payment of the park dedication fee, required covenants, and such other provisions as the Town Attorney determines are appropriate.
2. Park Dedication. The Applicant shall pay a park dedication fee in lieu of land dedication. This fee shall be an amount based on fair market value of the land, and shall be paid at the per lot fee as established by the Town Board as part of Township fee schedule.
3. Septic System. Washington County Department of Public Health and Environmental must approve the proposed septic system.

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4. All representations, written and oral, made by the Applicant and the Applicant's agents and representatives to the Town contained in and concerning the application must have been true, complete, and accurate at the time they were made;
5. The Applicant is in compliance and will remain in compliance at all times with all applicable laws, rules, and regulations concerning the property for which this approval is granted;
6. Fees. The Applicant shall pay all planning, engineering and legal fees and costs incurred by the Towns for processing this approval application. In the event any fees are outstanding they will be paid by the Applicant within fourteen (14) days of receiving a bill from the Town. In the event the fees are not paid, this approval shall terminate automatically upon recording of a Notice of Nonpayment by the Town.
7. The Town, its officers, and consultants may enter the Property, after providing reasonable notice to the Applicant or Owners, at all reasonable times to conduct inspections for the purpose of ensuring compliance with this approval. Prior notice to inspect the Property is not required in the event of an emergency.

Voting Yes- B Barr, M Kelz, R Lang, S Radke. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Approval of Minutes: Motion M Kelz/2nd S Radke approval of 01/23/2020 Planning Commission/Holiday Superstations, County Point Planned Unit Development. Voting Yes- B Barr, M Kelz, R Lang, S Radke. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Other Business:

Planning Commission Appointments- Town Board re-appointed Steve Radke and Natalia Keene to the Planning Commission for a 3 year term ending March 31, 2023. Town Board adopted Resolution 2020-03 to affirm that it desires to amend its Code to simplify the procedure to appoint Planning Commission Members.

Election of Chair- Motion R Lang/2nd S Radke to nominate Bob Bar as Planning Commission Chair. Voting Yes- B Barr, M Kelz, R Lang, S Radke. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Election of Vice-Chair- Motion S Radke/2nd B Barr to nominate R Lang as Planning Commission Vice-Chair. Voting Yes- B Barr, M Kelz, S Radke. Voting No- None. Abstaining- R Lang. Motion Carried 3-0-1.

8:00 PM Motion B Barr/2nd S Radke to adjourn. With All Present Voting Yes, Motion Carried 4-0-0.

Becky Herman
Denmark Clerk/Treasurer