

Denmark Township Planning Commission Meeting
Herman Farms St Croix Tr S- 87th St S Minor Subdivision
Public Hearing May 20, 2019

Planning Commission members present: Mike Kelz, Roger Lang, Steve Radke, Natalia Keene
Ex-officio Kathy Higgins
Absent: Bob Barr
Others Present: Ryan Krzos (WSB)

7:00 PM Vice-Chair R Lang opened Public Hearing. Herman Farms Minor Subdivision (PID 15.027.20.32.0008) Outlot A 29.272 acres

Steve & Becky Herman landowners- Becky Herman-Applicant present.
Property located on St Croix Tr S and 87th St S. Property is zoned Rural Residential density 1/5.

Planner- The Applicants are proposing to subdivide the existing Herman Farms Outlot A (29.272 acres) into three (3) parcels that would all exceed 5.00 acres in size on the subject property. The applicant is not proposed development at this time. The proposed lots meet the minimum lot requirements for lot size, buildable area, and minimum public road frontage under the Conventional Lot Design requirements. No new roads are being dedicated. St Croix Trail has been previously dedicated. Park dedication for the two newly created lots will be required. Applicant will be required to enter into a development agreement with the Town. Planner provided 05/01/19 Staff Report with Findings of Fact and recommends conditional approval of the requested Minor Subdivision.

Applicant- The request is to subdivide the existing Outlot A (29.272 acres), to create Parcel 3 (5.056 acres) at the corner of 87th/St Croix Tr and Parcel 1 (11.001 acres) on the north end of the property. Parcel 2 (13.215 acres) will be the remains of the Outlot A. No development of the parcels is being proposed at this time. Soil testing/septic will be done prior to any development of the parcels.

Public Comments- None.

7:05 PM Herman Minor Subdivision 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 minor subdivision request is within the rules and regulations of the Town Ordinance.

Motion M Kelz/2nd N Keene to forward the Herman Farms Minor Subdivision Application to the Town Board with a recommendation to approve, based on the Planner's 05/01/19 Findings Of Fact, 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 and such other provisions as the Town Attorney determines are appropriate.
2. Well and Septic System:
 - a. Prior to development within the survey boundary, an acceptable septic site a minimum of 10,000 square feet in size must be identified within the boundary of said lot. The Applicant shall provide the Township with septic location and soil testing results.
 - b. A permit from the Minnesota Department of Health must be obtained prior to well construction.
 - c. Washington County Department of Public Health and Environmental must approve the proposed septic system locations per the most recent requirements of the Washington County Septic Code.
3. 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;
4. 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;
5. 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. Park dedication shall be paid by the subdivider prior to the Township signing the development agreement.
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

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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. Inspections. 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- M Kelz, N Keene, S Radke, R Lang. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Approval of Minutes: Motion R Lang/2nd S Radke approval of 07/16/18 Planning Commission/Tukua-Klem Minor Subdivision and 2040 Comprehensive Plan Minutes. Voting Yes- R Lang, S Radke, N Keene, M Kelz. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Other Business:

Planning Commission Appointments- Planning Commission reappointments/ratified made as follows:

Natalia Keene term 01/18/18-03/31/2020
Steve Radke term 04/01/17-03/31/2020
Mike Kelz term 04/01/18-03/31/2021
Bob Barr term 04/01/18-03/31/2021
Roger Lang term 04/01/19-03/31/2022

Election of Chair/Vice-Chair-

Motion R Lang/2nd S Radke to elect B Barr Chair. Voting Yes- R Lang, S Radke, M Kelz, N Keene. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Motion N Keene/2nd S Radke to elect R Lang Vice-Chair. Voting Yes- N Keene, S Radke, M Kelz, R Lang. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Comprehensive Plan Update- Comp Plan has been submitted to the Met Council for review. Town has responded to DNR comments, DNR has accepted Town changes.

7:25 PM Motion M Kelz/2nd R Lang to adjourn. With All Present Voting Yes, Motion Carried 4-0-0.

Becky Herman
Denmark Clerk/Treasurer