

DENMARK TOWN BOARD MEETING MINUTES
May 1, 2006

SUPERVISORS PRESENT: Kathy Higgins, Gary Dixon, Jim Keller and Joe Moore.

OTHERS PRESENT: Attorney Shoeberg, Engineer Geheren

CALL TO ORDER: Meeting called to order @ 7:08PM by Vice Chair Higgins.

AGENDA APPROVAL: Higgins added Roads, Davies Variance request, LSCWMO, Staff Planning Rate and Gambling Resolution. **Motion Keller/2nd Moore to approve agenda as amended.** All in Favor. Motion Carried.

CONSENT AGENDA APPROVAL: **Motion Moore/2nd Keller to approve consent agenda.** All in Favor. Motion Carried.

HEARING DECISION/ZONING ACTIONS:

Radke Variance- Variance being requested to allow construction on a substandard size (1.22 acre) parcel. Higgins summarized discussion/findings of Planning Commission Meeting of 04/17/06. Both staff and Planning Commission recommended denial of variance request.

Motion Keller/2nd Moore to deny Radke Variance and to adopt Planning Commission findings as follows:

1. The plight of the landowner is due to circumstances created by the landowner. The property owner was part of the process of creating the remnant property and bought the property with full knowledge that it did not meet the 3 acre lot size requirement.
2. Granting the variance would allow construction on a parcel that does not meet Township standards. While the construction of one additional house by itself would not significantly alter the character of the area, it would set a precedent which could be used by others to justify smaller lots and of allowing buildings on substandard lots.
3. The property in question can be put to a reasonable use if used under conditions allowed by official controls. Reasonable uses of this remnant parcel would be sale to adjoining property to expand yard/parcel area, or use for gardening or agriculture.
4. The hardship is based on economic conditions, and economic conditions alone do not constitute a hardship.
5. Granting a variance of this nature would subvert the basic purpose of having minimum lot sizes and is not consistent with the goals and policies of the Township, the Comprehensive Plan, and the purposes of the Denmark Zoning Code.

Attorney to prepare official written findings denying variance for Board approval.

Voting in Favor: Higgins, Dixon, Moore and Keller. Voting against: None. Motion Carried.

PUBLIC COMMENT:

Tony Sieben- Reported water standing at the S.E. corner of Morgan Ave. and 122nd St. Moore will check out.

Gordy Herman- Has not received response from Inspectron for Driveway Permit request. He believes that someone local should issue Driveway Permits. Higgins stated that Driveway Permits are issued in conjunction with Building Permits. Higgins will check out.

Frank Femling- Thanked Board members who supported his development request for their support. Received letter stating non-compliance on Mobile Home Conditional use permit.

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Femling stated that his son resides in the Mobile Home and receives 100% income from farming, therefore, is in compliance.

John Erickson- Requested that the Board look at his Conditional Use Permit. Footage of the new building is 12000 sq. ft. and not 32600 Sq. ft. Does not agree with landscaping requirement in CUP. The East side already has 50 trees. West side of building currently has 6-7 trees. Does not believe that additional trees would even be seen on the West side, because of the outside storage on the neighboring business lot. Higgins, Dixon and Moore supported the request. Keller questioned whether applicant should go through the amended CUP process or at least provide a new plan showing the changes. Attorney stated that an amended CUP was not necessary as there were no changes being requested to the operation or type of business. It is possible to change the landscaping terms without amending the CUP.

Motion Keller/2nd Moore to approve Attorney to amend the Conditional Use Permit and submit to Board for discussion/approval in June.

Higgins clarified that attorney was to amend landscaping requirement in CUP. Error re: Building size has already been changed in CUP. All board members to view site before June meeting.
All in Favor. Motion Carried.

BUSINESS ITEMS:

Suburban- Joseph Dicker, attorney for Suzanne Snaza/Rase Automotive submitted letter to Board. Mr. Dicker addressed Board with Ms. Snaza's request to operate a business at current location of Suburban Towing. Wants to negotiate something with the township so that business can be operated. Suggests possibility of a bond, etc. See letter dated 04/28/2006. Township position is that no Conditional Use Permit currently exists for Suburban. Ms. Snaza was told to go through the CUP application process if she chose to do so. Specifics can be addressed through that process.

Dustcoating- Bids received-Dustcoating, Inc. @ \$.67 gal. & Dustmasters @ \$.74 gal.
Motion Moore/2nd Keller to award bid @ .67/gallon to Dustcoating, Inc. All in Favor.
Motion Carried.

Town Hall- Last fall Board approved painting of Town Hall @ \$7275. Dixon proposing to side Town Hall instead of painting. Siding would be maintenance free. Vinyl would cover exterior building, underhang, windows and doors. Not the porch. Estimates received were-Hastings Siding & Remodeling @ \$11,400. Tachney Roofing and Siding @ \$18,860. Dixon will check the guarantee of the product and workmanship. Keller advised of Environmental impact of vinyl.
Motion Moore/2nd Dixon to accept bid of \$11,400 from Hastings Siding & Remodeling.
Voting in Favor-Higgins, Moore and Dixon. Voting Against-Keller. Motion Carried.

Town Hall grounds in need of tree and bush trimming, tree removal and grass seeding and repair. Dept. of Health is requiring some grading done so the water would drain away from the well area. Received bid from Yard Masters for \$2,950 for all work. Dixon will get another bid, and will assure that lowest bid is offered the job.

Motion Keller/2nd Moore to accept a bid in the amount of \$2950 for grounds work.
All in Favor. Motion Carried. Keller is obtaining bids for bathroom construction.

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Davies Variance Request- Davies Variance was denied by the DNR. Mr. Davies asked the Board for their support as they attempt to appeal DNR decision. Board will support. Higgins authorized to attend any meetings and speak to the official position taken by the Board.

Roads- Road Tour was done. Roads identified as needing work were:

- 131st St Circle-Patch and overlay.
- 122nd from Neal to St Croix Tr.-repair last 1.3 miles as was done last year in first section of 122nd.
- 87th St.-St Croix Tr. to the end.

Engineers estimated cost of all three projects is \$361,000. Previous estimates have been high. Engineer recommends getting separate bids for all 3 roads. Bids would be brought to the Board in June. Based on actual estimates, Board to decide which projects to do.

Motion Moore/2nd Dixon to authorize Engineer to let the bids. All in Favor. Motion carried.

Staff Planning Rate- Board received memo on Hoisington Koegler Planning Rate increases. Will discuss at next meeting.

Charitable Gambling Resolution- County Point is requesting approval to have Cottage Grove Lion's for Charitable Gambling at the Point. **Motion Moore/2nd Keller to adopt Resolution for Charitable Gambling by Cottage Grove Lion's at the Point. All in Favor. Motion Carried.**

LSCWMO- There is a joint meeting of the LSCWMO Board and elected officials. Purpose is for policy discussion on possible WMO rules which will impact local governments. Board will be noticed of the date.

Board reviewed Outstanding Items List.

LEGAL REPORTS:

Rumpca- Hearing was April 17th. Judge viewed the property. Judge has 90 days from today for decision.

Motion Dixon/2nd Moore to adjourn. All in Favor. Motion Carried.
Meeting adjourned @ 9:16 PM.

Becky Herman
Clerk/Treasurer