

Denmark Township Planning Commission Meeting
Meyer-Murphy Minor Subdivision
Public Hearing June 15, 2020

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

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

7:00 PM Vice-Chair R Lang opened Public Hearing. Meyer-Murphy etal Minor Subdivision
Lana Meyer (applicant/purchaser)- Rita Murphy, etal (owners)
PID 06.027.20.23.0004 Manning Ave S Zoned A-2
Applicant Lana Meyer present.
PID 06.027.20.23.0004- 56.62 acre parcel proposed as Parcel "A" 36.89 ac. and Parcel "B" 19.73 ac.
PID 06.027.20.33.0006- 16.65 acre parcel noted as Parcel "C".
PID 06.027.20.33.0003- 19.59 acre parcel to east of Parcel "C" containing recorded 75ft x 75ft easement.

Applicant is purchasing PID 06.027.20.33.0006 a 16.65 acre parcel of record, noted as Parcel "C".

Applicant and owners are requesting a subdivision of the current 56.6 acre parcel into two parcels. The resulting southern 19.73 acre parcel "B" will be purchased by Lana Meyer. The resulting northern 36.89 acre parcel "A" would be retained by the owners.

Planner- Proposed lots meet minimum lot size and minimum buildable area. Parcel "A" meets minimum 300 ft road frontage.
A variance will be required to vary from the required 300 ft road frontage for Parcel "B". Applicant (who will also purchase Parcel "C") will grant an easement (47 ft wide x 600 ft long) across the northern section of Parcel "C" to Barb Meyer's parcel (PID 06.027.20.33.0003), which is east of parcel "C". Barb Meyer has granted the applicant an easement (75 ft wide x 75 ft long) from her property to access the proposed Parcel "B". Town Attorney worked with the Applicant's Attorney regarding the easements.

Applicant and Owner will be required to enter into a Development Agreement with the Town.
One Park Dedication fee will be required for the creation of a new parcel.

Applicant noted that she would be purchasing Parcels "B" and "C", and that the required easements are in place. Chris Wagner noted that the easement width was agreed upon between the landowner and purchaser. Attorney- Town ordinance does not speak to a required easement width.

Planner provided 06/08/20 staff report and based on the Findings of Fact, recommended conditional approval. Applicants reviewed and agreed to the Findings and recommended conditions.

Public Comments- None

7:25 PM Meyer-Murphy 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 M Kelz/2nd R Lang to forward the Meyer-Murphy Minor Subdivision application to the Town Board with a recommendation of approval, based on the Planner's 06/08/2020 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.

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2. Access Easement. The Applicant shall prepare and record an access easement to provide the landlocked parcel access to a public road. The easement must be in a form acceptable to the Town Attorney.
3. 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.
4. Septic System. Washington County Department of Public Health and Environmental must approve any proposed septic system.
5. 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;
6. 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;
7. 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.
8. 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, R Lang, S Radke, N Keene. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Approval of Minutes: Motion S Radke/2nd M Kelz approval of 05/18/2020 Planning Commission/Haukedahl Minor Subdivision Minutes. Voting Yes- S Radke, M Kelz, N Keene, R Lang. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

7:33 PM Motion M Kelz/2nd S Radke to adjourn. With All Present Voting Yes, Motion Carried 4-0-0.

Becky Herman
Denmark Clerk/Treasurer