

Denmark Township Planning Commission Meeting
Erin Glen 6680 St Croix Tr S- Major Subdivision Public Hearing
September 21, 2015 (continued from 07/20/15)

Planning Commission members present: Roger Lang, Don Schneider, Charlie Grote, ex-officio Kathy Higgins

Absent: Bob Barr and Steve Radke

Board Members Present: John Kummer

Others Present: Attorney Troy Gilchrist (Kennedy-Graven), Planner Erin Perdu (WSB), Engineer Ryan Stempiski (Focus Engineering)

7:05 PM Vice Chair Lang opened public Hearing.

Erin Glen 6680 St Croix Trail S- Major Subdivision. PID 04.027.20.41.0001 & PID 03.027.20.32.0010

Tim Arvidson (Stonebrooke Engineering) and owner Scott Goltz (6680 St Croix Trail S, LLC) present.

The Applicant proposes to subdivide 2 parcels totaling 51 acres into 11 buildable lots.

At the July Planning Commission meeting the Commission tabled the applicant's request for Preliminary Approval of a Major Subdivision until the September 21st meeting to allow for the submission of additional materials. Additional information was requested by the Town Planner (via the 7/16/15 staff report), Town Engineer, (via the engineer's report dated 7/14/15), and Town Attorney (via the Plat Opinion letter dated 7/20/15). Follow up correspondence was sent to the applicant on 7/24/15 and 8/24/15 reiterating the outstanding issues from the July Planning Commission Meeting. Staff received updated plans on 9/2/15. Planner submitted 09/09/15 Staff Report with updates to the 07/16/15 Staff Report.

Outstanding Items Discussed

SWWD- Applicant states that plans have been provided to SWWD and application will be sent to them. Applicant indicated they will need additional time to provide.

Lot reconfiguration- The lot line for Lot 1 Block 1 will be reconfigured as well as the drainage/utility easement on same lot.

Title commitment will be provided.

County Right-of-Way- County is looking for an additional 5 ft for Right of Way. Only the south 150 of the 480 ft is controlled by the applicant. The rest is a part of adjacent private property. Applicant does not believe the right of way would have any impact on the density units. Applicant will work with County on this.

Preservation of Trees- regarding inventory of trees. Curb and gutter will help minimize the impact on trees. If there is a tree preservation ordinance, an inventory could be done. To do a survey creates additional expense on the owner with little benefit, as realignment/modification of the road to miss a tree would not be likely. The road alignment was set by the previous owner in an attempt to save as many trees as possible. Just inventorying the trees within the construction limits would not provide the entire picture as to what would be left for trees, as it is a heavily wooded site. Trees removed will only be a fraction of what is there. May be willing to consult an arborist when dealing with individual trees that are close to the construction. Also suggested that there could be a review of the trees that would be affected by walking the property, with centerline staked.

Attorney noted that there are tree preservation provisions in the ordinance. General Development Standards – "The Township reserves the right to decline approval of a subdivision if due regard is not shown for the preservation of all natural features such as large trees, water courses, scenic points, historical spots and similar township assets which, if preserved, will add attractiveness and stability to the proposed development of the property".

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Engineer requested that the location of mature trees to be impacted by the proposed grading be shown on the plans. Engineer indicated that under the subdivision ordinance, showing the location of mature trees is a requirement.

Planner- preservation of mature trees and natural resources is a performance standard that is used when evaluating site plans.

Lang noted that the mature trees are of value to potential lot owners.

Draft covenants – Owner has drafted covenants which will be submitted with the additional information requested.

Geo technical report will be provided.

NSP Easement- Written approval from owner of NSP Easement will be obtained and provided to the Town.

Public Comment:

Jack Lang (65th St) Existing cul-de-sac. After the ears are cut from the existing cul-de-sac, the ears would become extensions of the 3 existing driveways. There are 2” cracks on the sides of the cul-de-sac that would now become a part of the driveways. Will the bad areas be reclaimed/bituminous put on those areas? Applicant’s Engineer indicated that the intent is to patch those areas. Owner agreed to reclaim the cul-de-sac and to tie the driveways in. Applicant also acknowledged that the top soil area will be reseeded/restored.

Harry Sieben (St Croix Tr) Tree preservation. Expressed concerns regarding protection of the trees that would remain standing. There are construction procedures that would protect the roots of the trees that are intestinally left standing, to keep them from dying due to the construction. Suggested consulting professional for advice in the construction process that would increase the likelihood that the trees that are intended to remain standing, stay alive.

Invasive species- asked if mediation of buckthorn could possibly be addressed if appropriate.

Adjacent landowner had questions regarding the impact on his property by the turn lanes. Turn lane will affect the end of the Sieben driveway. Will not affect access, although the turn lane will cut part of the driveway off. Applicant noted that Sieben could access his property from the new road into the development if he chose to do so.

Removing an existing driveway- The portion of the driveway that diverges from the Sieben property onto the Erin Glen parcel (the shared portion) will be removed. Sieben fine with removal plan.

John Kummer (Pt Douglas Dr) Discussed with Town Engineer the road surface for future road stub to the north. Gravel vs. black dirt, knowing that it will be stripped at some point when developed. For the neighboring properties on both sides of the surface, gravel will eventually grow into weeds affecting their properties.

From previous developments, at no cost to anyone in the covenants, consider rainwater sensors in the sprinkling systems. It’s an easy attachment to the sprinkling system.

Arborist intentions- one of the values of this development is the mature trees. Suggested that maybe the covenants could address consultation with an arborist. Any information gathered regarding mature trees on a lot would be valuable to a homeowner.

Scott Goltz- Erin Glen property owner introduced himself to the Board and public in attendance. Owner is going to address in the draft covenants that all lots must have a licensed and/or certified arborist consult on

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all excavation, to consult on the protection of all trees within the designated lot and to consult on removal and evacuation of all invasive species. Will provide proposed Covenants to the Town.

8:02 PM Public Hearing closed. Written comment period will remain open for 10 days. Written comments must be submitted to the Town Clerk. Planning Commission Opened.

Attorney recommends granting an extension. This would be the only extension granted. If all required submittals are not received by the extended deadline, a recommendation to deny the application would be considered/made.

To allow sufficient time to gather and provide additional information and approvals to the Town, the Applicant is requesting an additional extension of 120 days to 02/10/16. Applicant may come before the Planning Commission earlier; if they are prepared (last opportunity to address Planning Commission would be 01/19/16). Owner signed time limit extension.

Motion Schneider/2nd Lang to extend consideration for an additional 120 days, which would extend the statutory deadline to February 10, 2016, at the applicant's request to allow sufficient time to gather and provide additional information and approvals to the Town. With All Present Voting Yes, Motion Carried 3-0-0.

APPROVAL OF MINUTES-

Motion Grote/2nd Schneider approval of Minutes 08/17/15 Planning Commission/Jager Minor Subdivision and Herman Minor Subdivision. With all present voting yes, Motion Carried 3-0-0.

Afton Apple Amended Conditional Use Permit- requested extension of deadline to consider whether to amend plans to include additional work or to withdraw current application.

Jager Minor Subdivision and Herman Minor Subdivision have been approved by the Board and will be reviewed by the County.

Vail Resorts (Afton Alps) has completed a volunteer project at the Town Hall.

8:22 PM Motion Lang/2nd Schneider to adjourn. With all present voting yes, Motion Carried 3-0-0.

Becky Herman
Denmark Township Clerk/Treasurer