

Denmark Township Planning Commission Meeting  
Hastings Point Minor Subdivision  
Public Hearing  
October 17, 2016

**Planning Commission members present:** Roger Lang, Steve Radke, Charlie Grote, Mike Kelz

Ex-officio Kathy Higgins

Board Members present: Karen Herman

**Absent:** Bob Barr

**Others Present:** Attorney Troy Gilchrist, Planner John Burbank

**7:00 PM** Vice-Chair Lang opened Public Hearing for Hastings Point Minor Subdivision (north side of Hwy 10, east side of Hwy 61. PID 06.026.20.31.0009

Applicant Cross America Properties (CAP)/Owner John Kummer. Applicant's not present. Town Planner provided summary of Applicant's proposal.

Property is zoned Commercial/Industrial. The property was before the Town in 2015 and approval was given for preliminary and final plat on 12/7/15 (Resolution 2015-16). Neither the 2015 plat nor the development agreement were ever executed or recorded. The current application is substantially similar with the previous approval with the exception of the internal common property line and subsequent shifts in the parcel acreages due to the modifications. The new proposal will create 2 separate lots. After the creation of the lots and ROW dedication, the western parcel, Lot 1 (3.01 acres) and outlot A (small remnant piece on n side of Hwy61) will be owned by CAP. The eastern parcel, Lot 2 (6.48 acres) will be owned by John Kummer. There are no development proposals of the proposed lots at this time. Site plan meets the minimum performance standards and the proposed lots meet code lot requirements.

There is an easement to allow access to the 2 parcels west of the subject property. The north/south ROW access between the 2 proposed parcels would be dedicated at the time of the development of both parcel, and this condition would be made a part of the development agreement. MnDOT has received the application for comments. Soil tests have been completed. Septic permits would be issued by Washington County. Park dedication of \$10,000 was agreed to with the first application for this property and is recommended for the proposed lot split.

Planner recommends conditional approval of the preliminary and final plat for the Minor Subdivision.

Approval of the proposed subdivision will include a repeal of the 2015 subdivision of this parcel (Resolution 2015-16).

Public Comment: Janis Zeller- questioned if anything is being proposed to be built on the parcels. No development proposals at this time, but likely would be commercial development of the lots. Attorney noted that any uses likely to occur on the lots would need to go through the application process/public hearing, etc.

**7:18 PM** 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 to recommend approval of application to the Board.

**Motion M Kelz/2<sup>nd</sup> S Radke to forward Hastings Point application to the Town Board with a recommendation to approve the preliminary and final plats for the Hastings Point Minor Subdivision, based on the 10/17/16 Planner's Finding of Facts and subject to the Planners 10/17/16 recommended conditions:**

1. Resolution No. 2015-16 is hereby rescinded and replaced with this resolution.
2. A deed restriction shall be created and recorded with Washington County prohibiting Outlot A from being developed unless combined with the adjacent parcel.

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3. Prior to submitting the final plat to Washington County for recording, the land use and zoning review for the project shall be completed by Washington County.
4. The plat review for the subdivision shall be completed by the Washington County Surveyor's Office.
5. Prior to submitting the final plat to Washington County for recording, project approval shall be received from MN/DOT.
6. Prior to submitting a building permit for either parcel in the plat, the final on-site septic design shall be reviewed and approved by Washington County.
7. The applicant shall enter into a development agreement with Denmark Township for the minor subdivision within 60 days of final approval.
8. The development agreement for the plat shall include a section detailing that the full dedication of the north-south right-of-way bisecting the plat shall be dedicated to the public at no cost upon the development of either parcel.
9. The minor subdivision final plat shall include all public access outlots, easements, and stormwater easements as required by Denmark Township's engineer.
10. Development of either lot within the Hastings Point Addition will require additional site plan review by Denmark Township under the zoning performance standards established at that time. Any uses within those developments requiring a conditional use permit would be processed accordingly.
11. A park dedication fee of 10 percent of the pre-development market value or such value as identified in the approved development agreement shall be paid to Denmark Township prior to the plat being released for the issuance of any building permits for each individual lot.

**With all present voting yes, Motion Carried 4-0-0.**

**OTHER BUSINESS:**

**APPROVAL OF MINUTES-**

Grote noted that the 9/19/16 minutes incorrectly identify the members who made the adjournment motion.

**Motion R Lang/2<sup>nd</sup> S Radke approval of Minutes 09/19/2016 Planning Commission/ Minnesota Coaches Minor Subdivision/Conditional Use Permit, with revision as noted. With all present voting yes, Motion Carried 4-0-0.**

Discussion regarding workshop with Town Attorney regarding role/responsibilities of Planning Commission Members. Workshop tentatively scheduled for January.

**7:35 PM Motion R Lang/2nd C Grote to adjourn. With all present voting yes, Motion Carried 4-0-0.**

Becky Herman

Denmark Township Clerk/Treasurer