

DENMARK TOWN BOARD MEETING MINUTES
November 2, 2015

SUPERVISORS PRESENT: Kathy Higgins, Joe Moore, Karen Herman

ABSENT: John Kummer

One Vacancy

STAFF PRESENT: Attorney Gilchrist (Kennedy-Graven) Building Official Bob LaBrosse (City of Cottage Grove)

CALL TO ORDER: Meeting called to order @ 7:00 PM by Chair Higgins

AGENDA APPROVAL: **Motion J Moore/2nd K Herman approval of agenda as submitted.**

Voting Yes- J Moore, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

CONSENT AGENDA APPROVAL: K Higgins pulled Claims. **Motion J Moore/2nd K Herman, approval of Consent Agenda items which include 10/12/2015 Board Meeting Minutes, EFT payments- PERA 350089, MN Rev. Tax 0584085376, Federal Tax 85423563, payroll ending 11/01/2015 and financial reports.**

Voting Yes- J Moore, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Pulled Claims: To add claim received from City of Maplewood for purchase of signs (Claim 10608 City of Maplewood in the amount of \$1315.30). **Motion J Moore/2nd K Herman to approve Claims 10593-10608.**

Voting Yes- J Moore, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

BUSINESS ITEMS:

Washington County Recycling: Danielle Lesmeister (Washington County) presented the County's BizRecycling program for commercial business recycling.

Afton Apple Amended Conditional Use Permit: Frank Femling present. At the 07/20/15 Planning Commission Meeting, the Planning Commission forwarded the amended CUP application to the Board with a recommendation to approve. At the 08/03/15 Board Meeting, the Applicant requested to postpone consideration of the CUP application until the 11/02/15 Board Meeting in order for the Applicant to have additional time to consider whether to revise the plans and withdraw the current request. Applicant is requesting that the CUP (dated 7/30/15) be approved. Applicant also noted that at this time, because of compliance with fire sprinkling regulations, and the variables associated with the use and occupancy of an addition, he may or may not proceed with the proposed addition of the building. In order to minimize costs, he is considering obtaining and installing salvage sprinkling equipment from a business that recently closed. Also, he wanted to be sure that if he did not proceed, that the original CUP occupancy would still apply. Attorney noted that if the CUP before the Board was approved, it would be the only permit on the property and the old one would be null & void. If the CUP was approved and the Applicant did not proceed with the proposed building plan, the old permit occupancy (299) would no longer be in effect. Building Official Bob LaBrosse spoke to the varying occupancy rates as they relate to varying uses/classifications (food service/no food service) and codes related to septic/bathroom facilities, fire walls, sprinkling systems and parking spaces.

Discussion regarding the fact that other proposals that come before the Board for approval contain specific information, plans and description of use.

Board consensus that at this time there isn't sufficient information to approve the amended CUP (no concrete plans or specifics as to how the proposed new building would be used. Board consensus to extend the 60 day rule to allow the Applicant to provide additional information needed to fully consider and act on the request.

Motion K Herman/J Moore to extend the 60 day rule by an additional 60 days (Deadline extension 02/01/16) to allow the Applicant sufficient time to provide to the Board specific information regarding their amended Conditional Use Permit request. Voting Yes- K Herman, J Moore, K Higgins.

Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Town Board will act on the amended Conditional Use Permit request at its 01/04/16 Board Meeting.

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National Minerals Corp.- Escrow Release: To refund escrow balance of \$7.00 and add to claims for approval.
Warrior Dash 2015- Escrow Release: To refund escrow balance of \$604.00 and add to claims for approval.
Motion J Moore/2nd K Herman to add National Minerals Corp. Claim 10609 in the amount of \$7.00 and Warrior Dash 2015 (Red Frog Events) Claim 10610 in the amount of \$604.00 to claims for approval.
Voting Yes- J Moore, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 3-0-0.

LEGAL UPDATES

Mendel Ave- Attorney will draft letter to property owners expressing concerns regarding the condition of the house.

Aurora Solar- Attorney drafted letter to Aurora regarding building permits being required to install the solar panels at the Norell site. Aurora has inquired if the building permit fees are flat fees or based on the project value. Denmark's building permit fees are value based.

Eagle's Watch Solar Proposal- The Eagle's Watch Homeowner's Association has indicated that they are interested in the installation of solar garden on the outlots of the development. Development Agreements have been entered into with both the Town and Washington County. The agreements limit the use of the outlots to Open Space, Agriculture and recreational use. Recorded Conservation Easements on both outlots also limit the use of the property. A commercial solar farm is not allowed. Additionally, commercial solar farms are not allowed under either the County or Town Development Codes. Attorney will send a letter to Eagle's Watch informing them of the restrictions.

Hastings Point Development- Application will come before the Planning Commission on 11/16/15.

Erin Glen- continuing

8:30 PM **Motion J Moore/2nd K Herman to adjourn.** Voting Yes- J Moore, K Herman, K Higgins
Voting No- None. Abstaining- None. Motion Carried 3-0-0.

Becky Herman

Denmark Township Clerk/Treasurer

Denmark Township Chair