

West Lakeland Township  
Regular Meeting

June 12, 2006

Washington County Fairgrounds

Present: Chairman John McPherson, Supervisor Dan Kylo, Supervisor Jerry Peterson, Sue Agrimson, Clerk; Ed Sumrud, Treasurer; Cara Geheren, Engineer; Scott McDonald, Attorney; Duane Stensland, Building Inspector; Ray Swanson, Planning Commission Chair; Elizabeth Vance, Deputy Clerk

**Public Hearing, Daryl and Linda Goughnour, 13639 30<sup>th</sup> Street North.**

Chairman McPherson called to order a public hearing at 7:03 PM. The hearing was called to consider a request by Daryl and Linda Goughnour, 13639 30th Street North for a variance to allow construction of an accessory building closer to the road than the residence. The proposed structure is a garage which is proposed to be located near the front of the residence and screened from view from the road. Mr. Stensland commented that the Goughnour's had a permit previously, prior to the enactment of this ordinance, but the building permit was allowed to expire. The site is screened, and should have no adverse affects on the neighbors. The septic system is in back of the house, and the site is 40' from the property line. No additional comment was received. Chairman McPherson closed the hearing at 7:08 PM

**Public Hearing, Herman Dannholz, 1324 Oldridge Ave N**

Chairman McPherson called to order a hearing to consider a request by Herman Dannholz, 1324 Oldridge Avenue North for a variance for a sideline setback of 5' on a proposed accessory building. The code requires a setback of 25 feet and the requested setback is 20 feet. The location of the septic system and the slope of the lot make the site requested a better building site. The adjacent neighbor had no concerns raised. Chairman McPherson asked for any additional comment. Having none, the public hearing was closed.

**Call to Order**

Chairman McPherson called to order the regular meeting of the Township Board of Supervisors at 7:10 PM.

**Approval of the Minutes**

The minutes of May 8, 2006 were presented for review. Supervisor Kylo noted a typographical error. With that correction, Supervisor Peterson moved to approve the minutes as corrected. Seconded by Supervisor Kylo, the motion carried.

**2006 Road Repair Bids**

Ms. Geheren reported that there was a single bid received in response for the request for bids for road repair. The bid was from Tower Asphalt for \$132,680. This is higher than the estimate, but in Ms. Geheren's opinion, not unreasonable. Recent bids have come in higher than the estimates due to rising oil and fuel prices.

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**Treasurer's Report**

Mr. Semrud presented the treasurer's reports for April and May. April shows revenues of \$7,000 and expenses of \$26,000. May reports indicate revenues of \$36,000 and expenses of \$22,000. The 2005 audit results have not yet been received, but should be received in sufficient time to comply with the June 30<sup>th</sup> reporting deadline. The board authorized Ms. Agrimson to coordinate a special meeting to review the findings and complete the submission as needed. Supervisor Peterson moved to approve the reports as presented. Seconded by Supervisor Kylo, the motion carried.

**Review and Pay Bills**

Supervisor Kylo moved to authorize payment of the invoices presented. Seconded by Supervisor Peterson, the motion carried.

**Variance Request for Mr. and Mrs. Goughnour**

After discussion, and having no concerns raised, Supervisor Peterson moved to grant the variance requested to allow the building to be located closer to the road than the primary dwelling. Seconded by Supervisor Kylo, the motion carried.

**Variance Request for Mr. Dannholz**

After discussion, and having no concerns raised, Supervisor Kylo moved to grant the variance requested to allow the building to have a 20 foot setback from the side lot line. Seconded by Supervisor Peterson, the motion carried.

**Maintenance of Quant Avenue**

The board informally discussed road maintenance for Quant Avenue. The 5 ton axle weight was removed from the road in exchange for the businesses benefiting from the road to assume maintenance on the road. The businesses will meet to create a documented agreement for maintenance and cost sharing, and provide that document to the township. If an agreement cannot be reached, and the township must assume responsibility for maintenance, the road weight limit restrictions will be reinstated.

**Al Roth, Request for Major Subdivision, 2654 Neil**

Mr. Al Roth presented a concept plan for a major subdivision at 2654 Neil Avenue. The subdivision creates 3 lots, with no additional public streets being added. The board referred the concept plan to the planning commission for review.

**Preliminary Plat, Gustave Thill**

A preliminary plat request was presented for a 16 lot subdivision on Neil Avenue, between 22<sup>d</sup> and 26<sup>th</sup> streets. The developer would like to have the public hearing on this plat at the July meeting. Questions were raised about the outlot. The intent is to attach this outlot to Lot 6, and later deed the outlot to Lot 7. The recommendation from the planning commission is that this be a permanent dedication of land, and a single tax parcel. The development agreement should also address that the outlot is not to be considered a buildable lot now and in the future. Most of this outlot will end up as part of the drainage easement, which should restrict conveyance as well. Ms. Geheren raised the

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issue of the infiltration basins. These will need additional review. Infiltration basins are a newer concept in storm water management, and the research varies as to the success and maintenance requirements of this method as opposed to the more standard methods of drainage ponds. The desire with the infiltration basins is to work with the contours of the site, and minimize grading. Concern was raised on how funds could be maintained for the upkeep until the infiltration basins have become proven. The concept plan was referred to the planning commission and Engineer for review. Supervisor Peterson moved, seconded by Supervisor Kylo, to authorize the clerk was asked to extend the date for review 120 days after the application date of May 4, 2006 for the following reasons (1) meeting schedule does not allow time for review, (2) lack of full time staff to complete the review, (3) need to understand the engineering of infiltration basins to complete the review; and (4) the need for legal documentation to define the outlot as a separate agreement. The motion carried. Mr. Thill agreed to sign the requested extension.

**Autumn Run II Addition**

Mr. Jeff Hause will be taking over completion of the Autumn Run II addition, initially proposed by Gary and Mary Torgeson. The preliminary plat has expired, and the process will need to be reinitiated. The proposal was referred to the planning commission for review.

**Sinkhole at 22d and Stagecoach**

Ms. Geheren reviewed the subdivision plans, and the septic tests in the area. The drainage swale is an easement deeded to the Township, and the sinkhole is in the easement. Relocating the drainage swale, the initial request of the property owner, would only serve to move the issue to a different sinkhole. There does not appear to be a way to divert the water successfully. The suggestion was made to put a fabric filter mesh over the hole, and backfill, to manage the water runoff, and control the erosion and growth of the sinkhole. As part of the township drainage system, NPDES does require that the issue be repaired. Ms. Geheren was requested to complete a cost estimate for repair.

**Drainage Issue on Osprey Avenue**

At the homeowner's request, Supervisor Kylo reviewed drainage issues and holes in the driveway on Osprey Avenue. The issue appeared to be gophers, burrowing underneath the drive.

**Environmental Engineering Consultant**

As a result of the expected work to review and manage Excel's expected request for a fly ash disposal site, it was recommended that an environmental engineering consultant be retained. TDKA does not have the level of engineering expertise in light of the issues at stake in this issue. Expert engineering review will be a critical component of any review. Ms. Geheren put forward a request for proposal draft, suggested a list of potential firms with the appropriate expertise, and criteria to evaluate the bid. The supervisors will meet with Mr. Dick Thompson to review the recommendations.

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**Duke Realty Request for Rezoning**

The board discussed the request by Duke Realty to rezone the remnant parcel on I-94 to align with the Afton zoning and allow for a commercial development. Mr. McDonald reported on his conversation with Afton representative, and believes that a revenue sharing and joint powers agreement could be reached. It was suggested that since the bulk of the parcel is in Afton's jurisdiction, that the conditional use permits, and control of the CUP process, be managed by Afton. Remaining work would be to rezone this parcel appropriately. It currently is considered part of the Single Family Residential development zone. All agree that a commercial use would be more appropriate.

**Washington County Sheriff**

A deputy from the Washington County Sheriff's office presented the monthly report for the Township. No significant concerns for residents were raised.

**2006 Road Repair Bids**

The Tower bid was higher than the TDKA estimate by 12%. This is a result of rising increases in bituminous, fuel and oil prices. The bid does appear to be fair and competitive, in the opinion of Ms. Geheren. The board agreed that all four portions of work be completed. Supervisor Kylo moved to accept the bid from Tower Asphalt. Seconded by Supervisor Peterson, the motion carried.

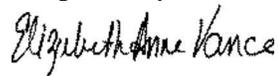
**Planning Commission Review of Concept Proposal**

Dr. Swanson provided the planning commission report of the concept proposal for a commercial development at 30<sup>th</sup> and Manning Avenue. This does not appear to be an appropriate spot for such development.

**Adjourn**

Having no further business, Supervisor Kylo moved to adjourn the meeting. Seconded by Supervisor Peterson, the motion carried.

Respectfully Submitted,



Elizabeth A. Vance  
Deputy Clerk