

WEST LAKELAND TOWNSHIP

Regular Meeting

April 11, 2011

7:00 p.m.

Oak-Land Jr. High School

Present: Chairman Dan Kylo, Supervisor Dave Schultz, Supervisor Steve Ebner, Mr. Ed Semrud, Treasurer; Ms. Sue Agrimson, Clerk; Mr. Scott McDonald, Attorney; Mr. Duane Stensland, Building Inspector, Ryan Stempski, Township Engineer

Public Hearing to Consider Adoption of the 2011 West Lakeland Code of Ordinances.

Chairman Kylo called to order the public hearing to consider adoption of the 2011 West Lakeland Code of Ordinances at 7:00 PM. The draft proposed revision is the result of a multi year effort by the board and the planning commission with the intent to simply the ordinance code to make it easier to read and understand. This will not be the last hearing, but the start to gather public opinion and comment. Chairman Kylo welcomed written comments as well as the public discussion.

Ms. Vivian Votava, 1150 Nordic Avenue, commented that she saw a number of problems with the draft code, and thought the draft was constructed backwards. The current code should be published on the website, and changes between the current code and the draft should be more prominently noted. The reorganization is applauded, but the draft appears to have unnecessary and faulty additions. West Lakeland is a rural township, and the code should address basic services, and otherwise serve as a guideline allowing residents to self govern. Requirements for permits should be eliminated wherever possible. Specifically, Ms. Votava indicated she saw no reason to restrict the location of number of accessory structures, and restrictions of livestock beyond that required by Washington County should be eliminated. Each section should be reviewed and any section not absolutely necessary should be eliminated. She believes that many sections of the code are unnecessary. It was strongly recommended that the current code be put on line at the Township Website. Ms. Votava also suggested that the public hearing review the draft code section by section to gain consensus.

Mr. Charles Belker, 1191 Nolan Ave, noted that he owns a very unique lot, and the restrictions on the location of an outbuilding prohibit him from that construction. The location and size of outbuildings should be less tightly regulated. Mr. Belker asked if the hearing could address each provision, one by one, for comment.

Mr. Brad Cornell, 2733 Neil, noted that he thought a number of changes under consideration that were discussed over the past few years, were not incorporated into the current draft. Chairman Kylo noted that it was decided to limit changes at this time. Mr. Cornell thought the public hearing was not sufficiently advertised.

Ms. Pat Schultz, 1440 Norcrest Avenue, noted that the current restrictions on hobby kennels appeared to be less restricted in the draft. The code should specifically require a permit for the private kennel, and the appeal process for the kennel permit should be prominent in the ordinance to protect against nuisance dogs.

Mr. Mark Votava, 1150 Nordic Avenue, noted appreciation for the attempt to organize the ordinance, but expressed disappointment that some of the sections appear to have been modified differently than desired. Mr. Votava noted that most of the requests for variance presented to the township concern the location of the accessory building, and suggested that those restrictions be eliminated. Mr. Votava expressed concern over the modifications to the livestock provisions, and the lack of modification to the restrictions

WEST LAKELAND TOWNSHIP

Regular Meeting

April 11, 2011

7:00 p.m.

Oak-Land Jr. High School

on accessory structures. He also suggested the code be put on line and the township be more proactive in providing more information to the residents.

Mr. John Beulow, 13250 20th Street, noted that in the past the building inspector had discretion to determine appropriateness of structures and uses. This appears to have been replaced with more specific ordinances. He believes the ordinance requirements should be reduced, and the regulation not be allowed to expand.

Ms. Christine Buelow, 13250 20th Street, also believes that livestock, particularly chickens, should be less restricted. She agrees that the residents should be allowed to self-govern these types of uses. She also supports eliminating the restrictions on the number of outbuildings. Ms. Beulow would also like to see the current code published on the township website.

Mr. Vince Anderson spoke in favor of the ordinance. He expressed the opinion, that, although most of the residents could manage relationships with their neighbors, the few that cannot are why these types of ordinances are necessary. He would like to see additional discussion on the draft code be done in a more public setting.

Mr. Mike Wrockoski, 1097 Manning Ave, noted that there are a number of residents that do not attend meetings, and that the restrictions in the ordinances are not clear to that segment of the population. He expressed concern over the home occupation restrictions. Mr. Wrockoski would like to see the old code redlined to indicate changes to the new draft. Chairman Kylo noted this would be difficult in that the organization was significantly modified.

Mr. Dave Dupay, 2315 Paris Ave N, noted that a number of the items that have come up in discussion are in the current ordinances, and are unchanged in this draft, including the home occupation restrictions and accessory structure restrictions.

Mr. McDonald, attorney, noted that there have been a number of additions and modification over the years, and that it is getting cumbersome to maintain these modifications. Each change was published when it was adopted.

Ms. Agrimson, Township Clerk, agreed to post any further meetings and would agree to provide specific notification to a resident if requested.

Supervisor Ebner moved to continue the public hearing at the June regular meeting to allow time for incorporating suggestions and comments. Seconded by Supervisor Schultz, the motion carried. Chairman Kylo tabled the public hearing at 8:45 PM.

Call to Order, Regular Meeting

The regular meeting of the Board of Supervisors was called to order at 8:50 PM by Chairman Kylo.

Approval of the Minutes

Minor typographical errors were noted to the February 2011 minutes. Supervisor Schultz moved to adopt the minutes of Feb 28, 2011 as corrected. Seconded by Supervisor Ebner, the motion carried.

WEST LAKELAND TOWNSHIP

Regular Meeting

April 11, 2011

7:00 p.m.

Oak-Land Jr. High School

Treasurer's Report

Mr. Semrud presented a full report for February and the report for March, 2011. The March report reflects \$400 in receipts, and \$16,000 in disbursements, primarily driven by snow removal expenses. Supervisor Schultz moved to accept the report as presented. Seconded by Supervisor Ebner, the motion carried.

Motion to Pay the Invoices

Supervisor Ebner moved to pay the invoices as presented. Seconded by Supervisor Schultz, the motion carried.

Request for Variance, Brad Cornell, 2377 Neal Ave

Mr. Cornell appeared before the board with a request for a variance to the setback from the lot line for an expansion to his current accessory structure. The current structure was constructed when the setback requirement was 10 feet from the lot line. His request is to continue the expansion of the building and retain the setback of 10 feet. Adjusting the construction to allow for the new expansion at 25 feet from the lot line would cause restrictions in the ability to access the hay storage in the structure, and would compromise the septic system

Chairman Kylo directed the request be reviewed by the Planning Commission.

Request for Home Occupation, Holly Balley, 2999 Norrell Avenue,

Ms. Holly Balley, a licensed psychologist, is considering purchasing the property at 2999 Norrell Avenue and appeared before the board to determine the feasibility of using the property for conducting on site multi-day workshops. There would be no food service, would have no signage, no anticipated noise or street parking.

Chairman Kylo noted the property does have existing issues with the outbuilding being in violation of the current ordinances, and the pool is in violation of the setback requirements. If purchased, the property would need to be brought into compliance.

With regards to the proposed business use, questions were raised about the number of parking spaces available on the site, and how often workshops would be held.

The request, if moved further, would need to be reviewed by the planning commission. No action was requested at this time.

Request for Home Occupation, Nathan Landucci, 13230 20th Street Court North,

Mr. Nathan Landucci appeared before the board for a request for home occupation permit as a custom builder/remodeler. The business would be run from the outbuilding construction on the site, with storage of equipment and minor shop space, and storage of other business assets. There is no intended outside storage. The work is generally done through subcontractors, with the work being done at the construction site, not at this location. There is no current request for signage.

Chairman Kylo moved to grant the home occupation permit application, indicating that storage would be allowed in the outbuilding, no signage, and hours of operation from 7 PM to 5 PM. Seconded by Supervisor Schultz, the motion carried.

WEST LAKELAND TOWNSHIP

Regular Meeting

April 11, 2011

7:00 p.m.

Oak-Land Jr. High School

Update on 2011 Street Improvements

Mr. Stempski provided an update on 2011 street improvements. West Lakeland Township as part of testing new reclamation process with additional emulsion added to the reclaim. The University of Minnesota study is to evaluate the long term effectiveness of this modified reclamation process. The process under review is similar to that used last year. This method would be appropriate for the repair of O’Ryan Trail.

The board directed Mr. Stempski to prepare the grant documentation and the cost differentials for review at the next meeting.

Mr. Stempski also noted that seal coating is out for bid, in conjunction with Lake Elmo. Baytown and Bayport showed interest in a combined bid next season.

Additional Business

Chairman Kylo has completed the inspection reports for the NPDES permit compliance.

Clean up day is scheduled for May 21st, from 8 AM to noon. The board discussed concerns with private persons removing discarded items. The township does not have liability, but has no current specific policy.

Mr. Ray Stevens raised a question on the proposal to repair 22d Street. He questions if 22d Street should be a township road, based on the traffic patterns.

Adjourn

Supervisor Schultz moved to adjourn the meeting. Seconded by Supervisor Ebner, the motion carried. Chairman Kylo adjourned the meeting at 10:33 PM.

Respectfully Submitted



Elizabeth A. Vance
Deputy Clerk