

WEST LAKELAND TOWNSHIP

Regular Meeting

April 9, 2012

7:00 p.m.

Oak-Land Jr. High School

Present: Chairman Dan Kyлло, Supervisor Dave Schultz, Supervisor Steve Ebner, Attorney Scott McDonald, Clerk Susan Agrimson, Treasurer Marsha Olson, Engineer Frank Ticknor, Building Inspector Duane Stensland and Planning Chair Dave Dupay.

Public Hearing – Holiday Stationstores Amendment to Conditional Use Permit

Chairman Kyлло called to order the public hearing to consider an application by Holiday Stationstores to amend its conditional use permit to allow construction and operation of a closed loop car wash at its service station on 7.75 acres on the Northeast corner of County Rd. 15 and Highway 94. The proposal includes altering the landscape plan to accommodate and screen the use and adding identification signage on the wall of the building.

Holiday Stationstores, represented by Mr. Dave Hoeschen, presented the proposal. When the conditional use permit was originally requested, there was no way to deal with the water discharge from the car wash operation. Cost and technology have now made a closed loop car wash system, with no water discharge into the septic system. The proposal is to add a building of 1,600 square feet, finished to match the existing structures, to house a closed loop car wash feasible. The water is 100% recycled, and is not discharged or connected to the drain field or sanitary system. The proposal also includes changes to the landscaping, to extend the berm on the north side of the site, and continue with trees and other plantings for screening.

The closed loop system uses bacteria that break down the oil and other contaminants, processing the water through a series of holding tanks, circling back after it has been treated to the first tank providing water to the wash cycle. The tanks are pumped periodically, and the waste is disposed of offsite. The system is heavily used in Europe, and Holiday has been migrating its operations to this type of system.

Mr. Dupay presented the conclusions from the planning commission review. The planning commission recommended the board approve the proposal with conditions that the berming and vegetation be in compliance with the existing requirements of the C.U.P.; the system would be 100% reclaimed; the system and installation meet Washington County Health Department requirements; and that the Conditional Use Permit held by Washington County also be amended, with the opportunity for the County to review and add conditions. Overall, the planning commission concurred that there would be no impact above what is currently in operation.

Mr. Jim Franklin, of Midwest Trail, raised concerns over the hours of operation and questioned if the lighting would be contained within the berm. His concerns appeared to be addressed in an updated landscaping plan. Plantings are inspected by Washington County, and are replaced as necessary.

Supervisor Schultz noted that water from other sources in the station, such as the icemakers and softeners, would also be recycled through this system, further reducing the load on the septic system.

Chairman Kyлло closed the public hearing at 7:30 PM

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Call to Order

The regular meeting of the West Lakeland Board of Supervisors was called to order by Chairman Kyлло at 7:30 PM

Holiday Stationstores, Amendment to Conditional Use Permit

Chairman Kyлло noted no major concerns with the proposal as presented, considering the lighting and landscaping on the plan dated 3/5/2012, with no additional impact from added exterior lighting. Lighting should be limited to the entrance and exit and retained on the property. Noise should be limited to 55 decibels at 100 feet.

Supervisor Ebner moved to approve and authorize a draft resolution to support the amendment to the Conditional Use Permit held by Holiday Stationstores, to allow construction and operation of a self-contained recyclable car wash, in compliance with the design plan dated March 5, 2012, with no additional lighting leaving the property and noise restricted to 55 decibels at 100 feet. Seconded by Supervisor Schultz, the motion carried.

Approval of the Minutes

Supervisor Schultz moved to approve the minutes with minor corrections. Seconded by Supervisor Ebner, the motion carried.

Treasurer's Report

Ms. Olson presented the treasurer's report for March 2012. The report reflects \$18,000 in expenditures, and \$28,000 in receipts. Supervisor Ebner moved to accept the report, seconded by Supervisor Schultz. The motion carried.

The board reviewed options to recreate the second set of books maintained by the treasurer. It was recommended to import the data from the clerk's books, and conduct a board of Audit to verify the data being transferred.

Review and Pay Invoices

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

Request for Horse Boarding Facility, Mr. and Mrs. Tschantz, 2270 Neal Ave

Ms. Tschantz presented the proposal to have a horse boarding and training operation at the property at 2270 Neal Avenue. The request would include a variance to allow a higher animal density than 1 animal unit per two grazeable acres. The request was to allow for some limited boarding and riding lessons and a therapy riding program. The grazeable acres under consideration would include land leased for that purpose. Neighbors polled by Mr. and Mrs. Tschantz did not have objections to the use.

A concern was raised by Supervisor Ebner that a commercial operation would not be allowed under the existing ordinances, except as a home occupation. A discussion ensued as to the purpose of the distinction between public and private boarding facility. To allow what is proposed would require a modification of the existing ordinances. A

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variance would be required for the density requested, regardless of the public or private use of the facility.

Supervisor Schultz moved to refer to the planning commission for review once a completed application was received, and to schedule a public hearing. Seconded by Chairman Kylo, the motion carried.

Supervisor Ebner further moved to direct the planning commission to review the distinction between public and private horse training facilities. Seconded by Supervisor Schultz, the motion carried.

Artisan Development Letter of Credit

The current letter of credit maintained by Mr. Thill for the Letter of Credit is due to expire on April 30, 2012. Chairman Kylo moved to allow Mr. McDonald and Supervisor Schultz, acting in the Chairman's absence, to execute the letter of credit if a renewal is not received by the Township Attorney by April 23, 2012. Seconded by Supervisor Ebner, the motion carried.

Engineering Report

Mr. Frank Ticknor presented a summary of the engineering programs underway for the Township

Drainage on 950 Mark Avenue was reviewed. The outlet is currently blocked from sand and silt. One option is to clear the outlet and restore the drainway, regrade to maintain positive drainage. The second option is to clean the pond area and add drain tile to connect to the outlet. Chairman Kylo moved to authorize the work to clear the outlet, regrade and restore the side for an amount estimated at \$1,250. Seconded by Supervisor Ebner, the motion carried. Supervisor Schultz will review other remaining storm sewer system maintenance work at the same time.

The annual MS4 public hearing was scheduled for the June 11th regular meeting.

The seal coat program for the 2012 road maintenance season is progressing. The roads were reviewed on March 13, and roads were selected and provided to the City Engineer for the City of Lake Elmo to include the joint bid. The joint agreement was reviewed with no substantive changes. Supervisor Ebner moved to authorize the chairman to sign the agreement. Seconded by Supervisor Schultz, the motion carried.

The specifications for the repair of O'Ryan Trail have been completed. The next step is to advertise for bid. Drafting communication for the residents is underway.

Crack sealing is under review. Chairman Kylo moved to authorize approval of a crack sealing contract of approximately \$11,000. Seconded by Supervisor Ebner, the motion carried.

St Croix Soccer Club Request for Women's Soccer League

The board considered a request by the St Croix Soccer Club for a women's soccer league, ages 20-23, at the Lucy Winton Bell Athletic Complex. The current Conditional Use Permit is for youth leagues 18 years or younger. The concern which resulted in the current permit restricting to younger players focused on crowding out the youth leagues, added traffic, more aggressive behavior, and alcohol consumption on the site. On the surface, the board has concerns with the request. Ms. Agrimson was directed to draft a response to the request.

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Additional Business

A variance hearing will be held in May for the signage requested by the Church at 959 Paris Avenue.

The report from the Minnesota Department of Transportation reviewing the recommended speed restrictions for Neal Avenue between 20th and 30th street resulted in a recommendation of the speed to be reduced from 55 miles per hour to 45 miles per hour. Supervisor Schultz will review the results of the study.

The board agreed the updated fee agreements for legal services from Lawson, Marshall and McDonald, and for engineering services from TKDA. Supervisor Schultz moved to accept both agreements as presented. Seconded by Chairman Kylo, the motion carried

The date for the annual gravel inspection was set for May 15th.

The resolution for the Vance/Walsh variance was presented for signature.

Adjourn

Having no further business, Supervisor Schultz moved to adjourn the meeting. Seconded by Supervisor Ebner, the motion carried. Chairman Kylo adjourned the meeting at 9:40 PM.

Respectfully Submitted



Elizabeth A. Vance
Deputy Clerk