

## WEST LAKELAND TOWNSHIP

Regular Meeting

August 6, 2012

7:00 p.m.

Oak-Land Jr. High School

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz, Mr. Frank Ticknor, Township Engineer; Ms. Marsha Olson, Township Treasurer; Ms. Sue Agrimson, Clerk; Mr. Scott McDonald, Township Attorney; Mr., Dave Dupay, Planning Commission Chair; and Mr. Duane Stensland, Building Inspector

### **Call to Order**

The regular meeting of the West Lakeland Board of Supervisors was called to order at 7:00 PM on August 6, 2012 by Chairman Kylo.

### **Approval of the Minutes**

Supervisor Ebner moved to approve the minutes of the July regular meeting as reviewed. Seconded by Supervisor Schultz, the motion carried.

### **Treasurer's Report**

Ms. Olson presented the treasurer's report, reflecting receipt of \$261,000 and expenses of \$25,000 in July. Supervisor Schultz moved to approve the report as presented. Seconded by Supervisor Ebner, the motion carried.

The board discussed the need for a financial audit for 2012. Chairman Kylo moved to authorize Ms. Olson to solicit bids for the audit of the 2012 financial records. Seconded by Supervisor Schultz, the motion carried.

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

### **Home Occupation Permit, 1067 Nolan, for Tree Removal Service**

Mr. Schmidt presented his application to run a tree removal service from his home at 1067 Nolan Avenue. No work is to be done on the homesite, but equipment would be housed in the garage. The equipment consists of two trailers, bobcat and a grapple truck. The grapple truck will be at the residence only when there is not an active worksite. Mr. Schmidt does have three employees, but these employees are not based out of the residence, but travel directly to and from the worksite. There is to be no signage, and hours of operation from 8 AM to 5 PM weekdays.

Chairman Kylo asked about diseased trees. Diseased trees that are to be removed will be transported directly to District Energy for disposal. When asked about noise, Mr. Schmitt indicated that there may be some chainsaw work on occasion, but no chipper operated on site.

After discussion, Chairman Kylo moved to approve the home occupation permit for tree removal, trimming and clearing, with a restriction to having two trailers, grapple truck, bobcat on site, no chipping of wood products, and disposal of all diseased materials off site. Seconded by Supervisor Ebner, the motion carried.

### **Request for Variance on Location of Outbuilding, 1701 Newberry Avenue**

Dave and Sue Nechrebecki, of 1701 Newberry Avenue, appeared before the board to discuss a variance for placement of a garage in front of the residence. It was noted from the aerial photo that there is a large drainage swale to the southwest of the house. The well is on the

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other side of the house, further restricting site location. There is a possible site southeast of the house, but this would substantially alter the neighbor's view. The lot is a corner lot, so it does have two road facing frontages. Mr. Gary Hermes, of 1727 Newberry, indicated that he has no objection to the proposed location. Chairman Kyлло moved to refer the request to the Planning Commission for review and comment. Seconded by Supervisor Schultz, the motion carried.

### **Request for Grain Storage, 2036 Stagecoach Trail**

Mr. David See, 2036 Stagecoach Trail, requested from the board permission to build additional grain storage. The pad for a proposed building has been completed, and should have had a grading permit and review prior to construction. Washington County Soil and Water Conservation District will meet with the Township and Mr. See to review and discussion any potential best practices to manage erosion.

### **Request for Lot Split, 14301 10<sup>th</sup> Street**

Mr. Gerald Peterson, 14301 10<sup>th</sup> Street appeared before the board to request a lot split of 15.05 acres. Mr. Peterson provided a plot plan and perc tests to support the split. The proposed lot meets all lot requirements. After review, Chairman Kyлло moved to authorize a draft of a resolution to approve minor subdivision in accordance with the plat presented, contingent on approval from Washington County, satisfactory soil test, payment of the escrow. Seconded by Supervisor Ebner, the motion carried.

### **Septic System Requirements, Washington County**

Mr. Chris LeClair, septic inspector for Washington County, appeared before the board to provide an update on the state of the septic systems in the Township, and the current County requirements. The County ordinances were revised three years ago, changing the requirements for maintenance and compliance inspections. Upon sale of a home a compliance inspection is required, and noncompliant systems must be addressed. A system is noncompliant if there is not enough soil separate of 36 inches or more between the system and the water table or bedrock, or if the tanks are not watertight. Systems that pose an imminent threat are to be replaced within 30 days. Failed systems are to be replaced within 90 days. Mr. LeClair also reviewed maintenance of the system to be done by the homeowner. It required that the tank be pumped every three years.

In West Lakeland, there are 1,281 reported septic systems. 946 are compliant with the 3 year pumping ratios. Since 1972, Washington County has issued 1,063 permits, leaving 218 systems that are not permitted. There have been 75 compliance inspections, and 12 were found to be noncompliant. Of those 12, six were failed systems.

### **Building Location, 1430 Neal**

Mr. Robert O'Geay, appeared before the board to discuss the feasibility of a request to locate an accessory structure in front of the house. This is also a property with frontage on public roads on two sides. The proposed site also has issues with the side setback restrictions. The request was referred to the Planning Commission for review.

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### **O’Ryan Trail**

Mr. Frank Tichnor provided an update on the reclaim of O’Ryan Trail. Work has started and the contractor has five weeks to finish. A walk through will be scheduled after work is completed. Grades will be blended back into the adjoining yards. Three catch basins have been cleaned in the process. The curb around the median was replaced to assist with drainage. So far, no complaints have been received.

### **Additional Engineering Work**

The 2012 seal coat was completed by Allied Blacktop July 17, 2012. Lake Elmo will be sending an invoice to the township.

Chairman Kyлло has been in discussion with Mr. Bob Lind, the contractor for the culvert cleaning. The work is tentatively programmed for the end of August.

22<sup>nd</sup> Street will be striped this month.

### **Home Occupation Ordinance Modification**

Mr. Dave Dupay presented the recommendations from the planning commission from the review of the Home Occupation Ordinance. The recommendation was to create a new section to provide for an interim home occupation permit that would allow more deviations from the ordinance such as additional employees or retail sales. To be considered for this provision, the home owner should prove unusual or unique conditions, such as size, location, number of buildings, etc. that would lend itself to the increased use. The permit should be renewed annually or expired, and the renewal is the responsibility of the permit holder. The exception to the rules should not compromise the intent of the home occupation of the permit so that the overall use of the property remains residential in nature. The board reviewed potential standards that might apply to such an interim permit. Supervisor Ebner agreed to draft a proposal, and the clerk was directed to put the issue on the agenda for the next meeting.

### **Additional Business**

Chairman Kyлло spoke with Baytown on combining for a bid for recycling services. There are contractual limitations between Baytown and their current provider that prohibit such a move at this time.

Mr. Dupay provided an updated parcel list for West Lakeland and an updated township mailing list to the clerk. He raised the issue that the township might consider a web mapping service to keep track of the township data such as drainage, permits, easements, and lot owners.

Mayor Brian Zeller of Lakeland contacted the township with regard to a request for detachment for a parcel to be separated from Lakeland and be annexed to West Lakeland. The Town Board saw no reason to support such a transfer.

Residents with political signs located in the right of way have been contacted to relocate the signs.

A contact letter will be mailed to those residents who hold a home occupation permit, requesting that the permit be renewed. This might be a good opportunity to start a Township directory.

The framing for the structure on Neal Ave Court being built by Mr. Karl Aeulciems collapsed because of high wind. The debris will be trucked out, not burned on site.

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**Adjourn**

Having no further business, Supervisor Ebner moved to adjourn the meeting. Seconded by Supervisor Schultz, the motion carried. Chairman Kylo adjourned the meeting at 9:55 PM.

Respectfully Submitted

A handwritten signature in black ink that reads "Elizabeth Anne Vance". The signature is written in a cursive style and is centered on the page.

Elizabeth A. Vance  
Deputy Clerk