

Royalton Township Working Planning Commission Meeting Minutes
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13 July 2021
Approved

6:40 p.m., 13 July 2021, Chair Leslie Orvis convened the Royalton Township working planning commission meeting with members Priscilla Schneider, Duane Swanson, and Gary Valvoda present and Jeff Schlaeger absent. Zoning Administrator John Kemen and members of the public also attended.

Justin and Marta Asher were present to update the commission on their plans for a residence on parcel 290126001. They distributed copies of a sketch showing the proposed building alignment with position of house, septic, well, pole shed and temporary trailer house; she also provided copies of a proposed interior design plan for the residence. Chair Orvis noted that the board had directed the commission to study the feasibility of an agreement between the Ashers and the township rather than a variance from the ordinance. Zoning Administrator Kemen opined that this is a unique situation of a temporary nature while construction of a residence is in progress, essentially a temporary accessory residence. He stressed that any agreement must have a secure termination date and that the temporary accessory residence must be removed by the termination date regardless of the completion of the permanent residence. The commission discussed a potential five-year agreement, with a possible starting date of 1 May 2022. Driveway, well, and septic system could be started separate from any agreement. He also recommended that legal counsel be involved in drafting this agreement. By consensus, the commission appeared to agree to a recommendation to the board to work with legal counsel to draft an agreement for a temporary accessory residence for as many as five years with certain removal after that period ends. The Ashers were encouraged to attend the next board meeting to update their situation; they then left the meeting.

Roger Teich was present to update the commission on his several proposals for land splits and parcel sales. Administrator Kemen asked specifically what Mr. Teich was requesting. Mr. Teich responded that he was requesting approval of a land split removing 10.08 acres with structures from PID 290112000 (in the name of Brandon Teich) in accordance with a certificate of survey by Hancock Surveying dated 27 May 2021. Administrator Kemen noted an updated survey would be required removing the ingress egress easement from that survey. Mr. Teich agreed. Secondly, Mr. Teich requested approval of a land split for PID 290110000 (in the name of Roger Teich) removing 12.35 acres with structures in accordance with a certificate of survey by Hancock Surveying dated 16 September 2020. Thirdly, the agricultural acreages remaining from these two splits would be combined into one new PID. It was Mr. Teich's stated intention that Brandon Teich would sell his parcel with structures and acquire Roger Teich's parcels with structures. The removal of the agricultural lands from these parcels is required in order to obtain financing. Roger Teich would then move to a third parcel not involved in these transactions. Administrator Kemen then asked Mr. Teich if he understood that all three of these splits/combinations would have to be recorded at the county at the same time and that county approval would be required after Royalton informs the county that it has approved the splits. Mr. Teich indicated his understanding of this procedure and these requirements. Chair Orvis then asked Mr. Teich about the septic situations on the three properties. Mr. Teich acknowledged that the septic system on parcel 290112000 would have to be repaired or replaced; he was provided with copies of Septic Inspector Amy Thompson's memorandum of 26 May 2021 indicating that the septic system on the parcel had failed and also with copies of the initial compliance inspection report noting that the system was not compliant. Whether or not the system needed to be replaced or repaired would have to be determined by a septic designer. Mr. Teich also then noted that he understood that a new system would have to be installed on parcel 290110000. Mr. Teich was encouraged to attend the next commission and board meetings.

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The commission then reviewed the email submission of Mark and Andrea Karpe dated 29 June 2021 giving updates on their alternative livestock operation proposal. Clerk Swanson distributed copies of the email and read an email of 13 July noting that a family emergency prevented the Karpes from attending the meeting. Chair Orvis reminded the commission of the board's instructions to continue to work with the Karpes within the confines of the existing ordinance. The commission also reviewed Minnesota Statutes 346.155. Given the specific list of animals (raccoons, bobcat, lynx, and skunk) that are requested, the commission questioned whether or not any of those animals could be permitted within the confines of the ordinance because the ordinance specifically prohibits ownership of all of them. The consensus appeared to be that the commission recommendation would be to deny this request.

Chair Orvis and Administrator Kemen reviewed Tom Madison's concerns regarding conditions on Frost Drive and operations surrounding it. Specifically, road conditions on Frost Drive would have to be handled by the board, not the planning commission. Reclamation of Wayde Lerbs' mined land is not required until the end of the interim use permit, although it could be voluntarily accomplished earlier. The commission and board will need to review whether or not the boat and trailer is on Frost Drive right-of-way. Chair Orvis will talk with Chris Wurm about attending the next meeting to report on the use of his mining permit and reclamation of the land.

Chair Orvis then opened discussion on the easement width question. Member Valvoda cited the county ordinance which requires the owner of a parcel that would be landlocked by a split to acquire fee title to a 66-foot strip of land rather than merely an easement. Administrator Kemen will study possible wording to incorporate into the amended ordinance.

Patrice DeGray asked if there were any plans to update the comprehensive plan, now ten years old. She noted that much new information could be included. Chair Orvis responded that this was a possibility that the board should look into and instruct the commission.

Clerk Swanson reminded the commission that the board had instructed it to review possible compensation for Sewer Administrator Amy Thompson's required attendance at board and commission meetings. Discussion centered on how compensation might be accomplished, whether or not she is an employee (she is a contractor). The commission acknowledged Inspector Thompson's central role in working with the latest conditional use permit and with advising the board on the township's septic issues generally. The consensus of the commission was that, if required to attend a meeting, she should be compensated, probably at the regular rate planning commission members receive, essentially per diem, not to include mileage reimbursement.

At 8:40 p.m., the meeting concluded.

Respectfully submitted,

Duane P. Swanson, Clerk/Member

Leslie Orvis, Chair/Member

Jeff Schlaeger, Member

Priscilla Schneider, Member

Gary Valvoda, Member