

# **Empire Township Planning Commission Minutes**

**July 19, 2022**

The Empire Township Planning Commission meeting was called to order by Tom Kaldunski at 8:00 PM.

Present were: Tom Kaldunski, Jared Sachs, Doug Clark, Marla Vagts, Jane Kansier, Brad Fisher, Charles Seipel-Teng, and liaison Jamie Elvestad. Commission member Trent Larson was absent.

Jacob Fick with Enebak Construction Co. presented a proposal to construct a new shop/ office facility for their company at 3618 160th Street. The company is looking at purchasing both the north and south parcels at the address. They would have outdoor storage on the site. The existing structures on the site would be razed and some environmental mitigation measures would need to be implemented prior to stating the project. Mr. Fick has been talking to Dakota County Transportation about road access. Existing access aligns with Chippendale Ave. on the north side of CSAH 46.

The property is zoned AG and is in the Mineral Extraction Overlay. The proposed facility would be permitted as an IUP for a road construction business in the existing zoning district under the mineral extraction overlay. Another option that Enebak Construction could pursue would be to request a rezoning and comprehensive plan amendment to Light Industrial and operate as a permitted use. It was recommended that Enebak Construction submit a site plan application to seek input on the proposal. The site plan should account for possible right of way for the extension of Chippendale Ave. to the south. There would need to be screening between the proposed project and the residence to the west.

Jamie Bouchard, resident at 1879 220th Street East, was present to follow up regarding a letter that he received from the Township about possible business activity taking place on the property. There was concern about the Emerald Ash Borer, as it seems that he is bringing wood onto the property. Mr. Bouchard noted that he does operate a tree cutting business and parks his work vehicles on the property when he is home. He has been storing wood on the property and burns much of it as a heating source. Much of the wood has recently been removed from the property as he does not want the property to be considered a nuisance. Regarding the Emerald Ash Borer, Mr. Bouchard noted that the DNR has classified Dakota County as a quarantine area due to the widespread infestation of the Ash Borer. This means that lumber from ash trees can be moved within the County as it is likely that untreated ash trees in the County are thought to either contain the Ash Borer, or soon to have them. The operations of the tree business are regulated by the MN Dept. of Agriculture. It was noted by the Planning Commission that the activity taking place on the property is considered an ag related business, and therefore permitted in the AG District. The Commission recommended that Mr. Bouchard be mindful of neighboring properties when storing lumber on the site.

Brian Gergen, owner of an Ag residential property on 210th Street, discussed his proposed plan to construct a residential dwelling on the property and potentially in the future, construct a larger dwelling. Mr. Gergen stated that he and his family want to live on the property but are not yet to the point where they can construct their dream home. It was noted that in order to live on the property, Mr. Gergen must have a structure that meets the definition of a residential dwelling in the AG District, per the zoning ordinance. The structure must have a minimum of 24' in width and have a building permit issued for a residential dwelling. The dwelling must also have septic and well to serve the living quarters. When he is ready to construct a larger home on the property, the smaller dwelling must be either demolished, or converted into an accessory structure and not considered a dwelling. The parcel cannot be split at any time. Documentation of the conversion of the old dwelling to an accessory structure should be recorded with the property.

Brad Fisher presented a map from a proposed sanitary sewer study for Biscayne Ave., south of Highway 66, that Bolton & Menk had started work on back in 2018 for the City of Farmington. The map highlighted parcels that would likely be included in a sewer sizing study. Discussion was held on how sewer sizing and cost sharing would be handled. It is likely that the line would be constructed as development occurs. Leapfrogging development would be difficult unless the developer is willing to pay to bring sewer to the property. The Planning Commission was ok with the areas to be included in the study. The Township and the City of Farmington will be participating in a joint sewer sizing study. The study will recommend sewer sizing for the areas in the map and will include estimates for cost. The study will also make recommendations on cost sharing.

Jane Kansier presented some information on spacing guidelines from MnDOT for major arterials and for local road systems. The information also included subdivision design standards and driveway locations and widths for Empire and other area cities. The goal is to incorporate standards in the zoning ordinance for various zoning districts in the Township. It is likely that regardless of the standard, there will be some room to adjust the standards based on topography and other factors at the site. The adjustments to the standards would need to be approved by the Township engineer.

It was reported that Dakota County Transportation will be hosting a public open house regarding the Highway 52 & 66 interchange will be held on Wednesday, July 27th, at the United Steel Workers Hall in Vermillion Township.

Meeting adjourned at 9:20 PM.