

Empire Planning Commission Meeting Minutes

February 1, 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. Trent Larson was absent.

Gregory Brand and Rick Kirchner were present to request the transfer of a building right from PID 12-02800-76-014 (owned by Brand) to PID 12-03500-01-024 (owned by Kirchner). Both properties are on 210th Street. The Brand property, an 80-acre farm parcel, currently has two building rights.

Mr. Kirchner indicated that he may want to subdivide his parcel in the future. The Planning Commission noted that if the property is going to be subdivided, it will need to be done at the time of the building rights transfer. It was also noted that because the minimum lot width of a parcel in the AG District is 220 feet, there would not be enough road frontage for a new parcel to be split from the existing parcel and provide the adequate frontage.

The applicants would like to proceed with the building rights transfer with the parcels as they are currently legally described. Because Brand's parcel will still have one remaining building right, the transfer agreement will need to be modified to reflect the fact.

Tom Kaldunski made a motion to recommend that the Town Board approve the proposed building rights transfer of one building right from the Brand property to the Kirchner property. Doug Clark seconded. Motion passed 4-0.

Jane Kansier reported that regulations regarding swimming pool construction have been removed from the State Building Code in 2020. Some regulations have moved to the energy code. After speaking with Inspectron, it has been confirmed that building permits will be required for in ground pool footings and plumbing only. Electrical permits will still be required from the State. Therefore, building permits will not be required for above ground pools. The Township will need to determine how to permit above ground pools to check for zoning and fencing compliance. Inspectron will still check inground pools for zoning compliance through the permitting process.

The Planning Commission recommended that above ground pools be checked for zoning compliance through the Zoning Permit application process. Gate and fencing requirements can be checked as part of that process as well. It can be noted that the permit is good for seasonal pools if the pool is placed in the proposed location each year. The pool handout should be updated.

It was recommended that the proposed amendments to the pool ordinance include references to the Zoning Permit application for above ground pools and fencing requirements.

Jared Sachs made a motion to recommend the adoption of the amended Pool Ordinance (No. 460-B). Doug Clark seconded. Motion passed 4-0.

It was reported that the Town Board is planning on hosting a public meeting regarding the incorporation of Empire Township on February 22nd at the Public Works Building. They would like representatives from the Planning Commission to attend. The exact time and agenda will be determined by the Town Board next week. Seipel-Teng will provide updates to the Commission prior to the meeting date.

The Planning Commission reviewed a proposed Comprehensive Plan amendment from the City of Lakeville for the Powell Properties, west of I-35. Jared Sachs made a motion to recommend no comment on the proposed Comprehensive Plan amendment. Tom Kaldunski seconded. Motion passed 4-0.

It was determined that no Planning Commission Meeting will be held on February 15th unless there is a time sensitive issue that needs to be considered.

Meeting adjourned at 8:40 PM.