

**Town of May
Washington County
Planning Commission
October 27, 2011**

The Planning Commission of the Town of May met for their regular meeting on Thursday, October 27, 2011, at 7:00 pm at the May Town Hall. Members in attendance were: Chairman John Arnason, Steve Magner, Mark Dupre and alternates Bill Still and Jeff Chase. Absent: Lester Rydeen, Jyneen Thatcher, Don Rolf, Chad Nelson. Also present: Planning Consultant Nate Sparks, Town Board Chairman, Bill Voedisch; Linda Klein, Town Clerk. Chairman Arnason called the meeting to order at 7:00 pm.

Approval of Minutes

Arnason moved, seconded by Dupre, to approve the minutes from the September 29, 2011, planning commission meeting. All approved.

Public Hearing

Shea Minor Subdivision & Variance Application

William & Karen Shea have submitted an application for a minor subdivision. The site to be divided is currently three parcels that are 19.8 acres, 1 acre, and 2 acres in size. The minor subdivision will result in these three parcels being two parcels each around 10 acres in size.

The subdivision proposes two lots and thus constitutes a minor subdivision. Minor Subdivision review requires a public hearing be held at the Planning Commission and final review by the Town Board. It should be noted that Washington County now requires any Minor Subdivision that results in a buildable lot to follow the platting procedures, which is why the applicant had a Preliminary and Final Plat document prepared. The subdivision requires a variance to allow for a lot depth greater than four times the lot width.

The Minor Subdivision proposes to split the property into two separate lots.

Lot One, Block One, Shea's Keystone Addition:

- The parcel is proposed to be 10.08 acres in size after dedication of right-of-way. There are about 8 acres of contiguous land between the right-of-way and wetland.
- The minimum lot width meets the ordinance requirements. The maximum lot depth exceeds requirements due to the fact that the mean depth will be 1485 feet, which is greater than the 1200 allowed.
- There is an existing ditch on the site that goes towards the wetland. The applicant is placing the ditch in an easement to match the easement for the ditch on the northern property.
- The applicant has proposed a house and septic site that are conforming to Town ordinances.

Lot Two, Block One, Shea's Keystone Addition:

- Proposed to be 12.07 acres in size after dedication of right-of-way. There are about 9 contiguous acres of buildable land between the right-of-way and wetland.
- This is the parcel with the existing house and driveway.

- This parcel meets the ordinance standards for width but does not meet the maximum depth standard. The mean depth will be 1460 feet and 1440 is the maximum allowed.

Both parcels meet the required minimum of 300 feet of frontage on a public road and gain access from Keystone Ave N.. Prior to a building permit being approved on Parcel A, the Town Engineer and County shall approve the location of a driveway access to a single family home.

There is a large wetland at the rear of the property. This wetland is over 350 feet from the existing house and about 400 feet from the proposed new house site. The applicant is currently preparing a delineation for review by the Washington County Conservation District, as it will be a requirement for approval by the County. The approval of the subdivision shall be subject to Washington County Conservation District's review and approval of the wetland delineation.

The proposed Minor Subdivision requires a variance from the maximum depth standard. The depth allowed is four times the width at the front setback. It is a unique situation due to the large wetland area to the rear of the property.

Planning Commission Review

After Nate Sparks provided an overview of the Shea application, Chairman Arnason asked for questions from the Planning Commission members. Chase asked why the smaller lots were created in the past, and Sparks indicated just to separate the house out from the field. Pat Kinney, representing Sheas, did not have a definite answer to that question. He stated that at one time, he thought there was perhaps a separate site for a commercial application.

Arnason clarified that the only variance required is for a width to depth ratio, and Sparks confirmed this correct.

Arnason moved, seconded by Chase, to open the public hearing. All approved.

Pete Woorra appeared as a concerned neighbor and asked why this subdivision is taking place. He was provided a copy of the Planning Report and Klein advised that the Sheas have a desire to sell one lot to an adjacent property owner, according to a conversation with Karen Shea.

Voedisch asked that Sparks locate the watershed district involved and make certain they are notified of this action prior to the Board meeting in one week.

Dupre asked about the origin of the drainage easement, and Arnason pointed out that it appears to be a proposed easement rather than an existing one. He also sees this application as representing a good argument for granting a variance for the depth to width ratio. The circumstance of the property makes it non-conforming.

Arnason moved, seconded by Dupre, to close the public hearing. All approved.

Arnason moved, seconded by Dupre, to recommend to the Town Board that they approve the application and request for variance length to depth subject to the following conditions:

1. Prior to receiving a building permit on Lot 1, the Town Engineer and County Department of Public Works shall approve and permit the location of a driveway access and culvert for a single family home.
 2. Review and approval shall be received from the Washington County Public Health and Environment Department regarding the proposed septic system.
 3. A wetland delineation report shall be provided as required by Washington County. A copy of this report shall be provided to the Town.
 4. A park dedication fee of \$800 is to be paid to the Town of May prior to final approval.
 5. The subdivision is subject to the review and approval of the Town Engineer. Any conditions added by the Town Engineer shall be adhered to.
 6. The subdivision is subject to the review and approval of Washington County.
 7. The subdivision shall be recorded with Washington County.
 8. Prior to any construction, a building permit must be obtained from May Township.
- All approved.

Chairman Arnason stated that this recommendation is based on findings that, because this lot is slightly larger than a standard 20 acre lot, its length makes it difficult to subdivide in a manner that would be consistent with the length to width requirements of the Town Code without requiring a variance. He stated it is worth noting that it is an improvement to go from 3 lots (with two being non-conforming in several respects), to two lots which conform in all respects to the Code except length to width.

Public Hearing

Ordinance 2011-04

Extending the Term of the Town's Cable Franchise to December 31, 2012

Board Chairman Voedisch explained the need for this ordinance.

Arnason moved, seconded by Magner, to open the public hearing. All approved.

Arnason suggested that during this 12-month period, given that everything about this process is spelled out in the Town Code, perhaps the Board will be revising of the 42 pages of code. If so, it might make sense to have actions such as this approved by resolution as opposed to by ordinance.

Arnason moved, seconded by Magner, to close the public hearing.

Arnason moved, seconded by Dupre, to recommend to the Town Board that they approve Ordinance 2011-04 extending the term of the Town's Cable Franchise to December 31, 2012. All approved.

Hearing no further business, Arnason moved, seconded by Chase, to adjourn. All approved.

Respectfully submitted,

Linda L. Klein, Town Clerk