

**TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL PLANNING COMMISSION MINUTES
September 26, 2019**

The Planning Commission for the Town of May held their regular monthly meeting on Thursday, September 26, 2019 at the May Town Hall. Members in attendance were John Arnason, Steve Magner, Don Rolf, Jyneen Thatcher, Chad Nelson, Walter Peterson, and Lester Rydeen. Members Jeff Chase and Alternate Mitch Otterson were absent. Also present was Town Clerk/Treasurer Linda Tibbetts and Town Planner Nate Sparks. Planning Commission Chair Arnason called the meeting to order at 7:06 p.m.

Public notice was published in the Town's legal newspaper; notice was posted outside the town hall; and property owners adjacent to the property in question were notified.

Minutes from June 27, 2019 Planning Commission Meeting

Arnason moved, seconded by Rydeen, to approve the June 27, 2019 minutes as presented. Motion passed.

Arcola Mills Amendment to Zoning District

On the surface a rather simple request, but there are layers to this request. Mr. Dittmann owns the property south of Arcola Trail. Essentially, the Arcola Mills Historical Foundation is on both sides of the road. The request is to make the road the boundary of their property. Arcola Mills' land is identified as conservation. Mr. Dittman's property is identified as rural residential. We have a rezoning of property so we can proceed with the lot line adjustment. That rezoning would be of the legal description of the property from one to the other. All of the property south of Arcola Trail. It has a platted right of way for a portion of the property. In the past, the town has not required easements to be granted, however, it may be a good idea going forward because whenever you have a prescriptive

The lot line adjustment in and of itself is something that is just reviewed at the town board. The board referred it back to the Planning Commission as no variances would be necessary. The Arcola property is multiple parcels but is tied together under one CUP. If there is a concern about Arcola's multiple PID's, it can be combined into one if the PC deem that necessary.

The yield plan doesn't work in this situation because their standards are different; however, we can take their base and apply it to the property if you considered the Arcola property all as one. Neither property is clearly developable in that fashion. It is not as easy to use the yield plan.

Magner clarified that the action before the Planning Commission is to recommend the rezoning as well as additional recommendations on the lot line adjustment.

Arnason moved, seconded by Rydeen, to open the public meeting. Motion passed.

Public Hearing opened at 7:16 p.m.

Public Hearing

Arnason mentioned that in his view and expectation of the current case, Dittman's driveway access would be going from Highway 95 to Arcola Trail which is a lower speed road. From a safety standpoint, he would be surprised if people would have concern about the installation of a new driveway. Voedisch stated this was common on Old Guslander in 1996. The road had sliver-swaps.

Even though the Town Board can render an opinion on the LLA itself, if the Planning Commission wants to include it in their decision, the motion should include that the sliver be combined on the same deed as the home lot.

Arnason asked Sparks to walk through which portion of the road is dedicated or owned and which part is an easement and his recommendation on clarifying. There is no easement, just prescriptive. The easement does not match the property lines. MnDot's right-of-way has been as such since before the dawn of time. It is not formally recorded. There are issues where from time to time to come up with these types of driveways, people dispute the right-of-way lines. It might be helpful to advise homeowners to acquire easements in these processes.

Rydeen said he is not sure why the applicant chose the Arcola parcel of land as opposed to other parcels. It looked to Lester that we are trying to clear up a flagged lot.

Arnason moved, seconded by Rydeen, to close the public hearing. Motion passed.

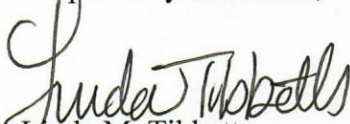
Public Hearing closed at 7:29 p.m.

What kind of precedence have we set if Mr. Dittmann gets approval for driveway? Is that something that should be considered? Voedisch responded that in the past, dual driveways have been granted. It is rare, but the town does not have a prohibition about dual driveways.

Arnason moved, seconded by Rydeen, to recommend to the Town Board that they approve the rezoning of that sliver of land that is on the south side of Arcola Trail from conservancy to rural residential and while it is not necessarily before us, recommend they approve the lot line adjustment inclined to have condition for that sliver be combined with the main parcel to be one, and that the easement on that farthest east side of the property along Arcola be recorded to it becomes an officially granted easement as opposed to a prescription easement. Motion passed.

Arnason moved, seconded by Thatcher, to adjourn the meeting at 7:40 p.m. Motion passed.

Respectfully submitted,


Linda M. Tibbetts
Clerk/Treasurer