

**Town of May  
Washington County  
Planning Commission  
March 30, 2017**

The Planning Commission of the Town of May met for their regular meeting on Thursday, March 30, 2017, at the May Town Hall. Members in attendance were: John Arnason, Chairman; Steve Magner, Lester Rydeen, Jeff Chase, Don Rolf, Jyneen Thatcher and Alternate Mitch Otterson. Absent: Chad Nelson. Also present were Linda Klein, Town Clerk; Town Planning Consultant Nate Sparks, Town Board Chairman Bill Voedisch, and residents of the Town of May. Chairman Arnason called the meeting to order at 7:05 pm.

**Approval of Minutes**

Rydeen moved, seconded by Rolf, to approve the minutes of the February 23, 2017, regular planning commission meeting. All approved.

**CONCEPT PLAN**

**Minor Subdivision – Allan Estvold**

Sparks stated that Alan Estvold has made an application for a minor subdivision concept plan review to divide a 27 acre parcel into two lots. The property is located at 13838 170th Street. One lot is proposed to be 15 acres and the other 10 with the remainder being dedicated as right-of-way. The lot currently has one 7500 square foot barn on the property and a smaller shed. The applicant wishes to keep this building on one of the lots which would require a variance for accessory building size and a CUP for having an accessory building without a house. Such CUP's have been permitted in the past for one and two year situations. The variance could be avoided by making the larger lot 20 acres. Washington County is reviewing the potential access point locations and will provide comment prior to the preliminary plat.

The site is adjacent to 170<sup>th</sup> Street, which is also County State Aid Highway No. 4. The County Subdivision Ordinance, which is now administered by the Town, states that lots should not be created that require direct access to an arterial roadway. In this case, the County Transportation Planner states that there is no alternative for access, as the property does not front on a local road and therefore the County's access spacing guidelines may be used to find suitable access points.

Access points will need to be placed on the preliminary plat and reviewed by the County. Town Board Chairman Voedisch noted that the lots will need to share an access point.

The property currently has a 7,500 square foot barn on site and a smaller shed about 450 square feet in size. The applicant states that the larger building currently houses two steers and that the smaller shed has bunks and a shower in it. For lots 15 acres in size, there is a cap of 2,500 square feet of accessory buildings. This square footage of structures may be allowed on a 20+ acre parcel, as an accessory agricultural use.

There is also no residence on the property. In the past, the Town has allowed an accessory building to be on the property prior to a residence with a Conditional Use Permit.

### **Planning Commission Discussion**

Chase asked why there is no house on the lot. The explanation offered is that this site was originally three different properties, and the house was on the third lot, leaving the barn and buildings on the remaining lot. Rolf stated that he sees a request for variance to be a problem not meeting the level of practical difficulty, given that the applicant has significant latitude to increase one of the lots to 20 acres, thus making the barn legal.

Thatcher brought up the issue of where the house would be located in relation to the barn. Since the barn cannot be closer to the road than the primary dwelling, and a potential building site may not be in compliance, someone buying the property could need a variance from this town ordinance. Otterson inquired of the applicant whether he intends to sell both lots. As of now, Estvold says he will keep one and sell one.

Arnason opened the meeting up for public comment.

Town Board Chair Bill Voedisch stressed that the new lots would need to share an access off of County Road 4 (170<sup>th</sup> Street). He also asked about the condition of all the buildings and if the owner was planning to keep them all in good condition prior to selling either of the lots. He also questioned the efficacy of having 2 unattended steer living in the buildings.

After considerable discussion, the applicant admitted that he could live with a 20.01 acre/5 acre split, thus making the variances unnecessary.

Thatcher moved, seconded by Rolf, to recommend to the Town Board that they approve this concept plan with the following conditions:

1. Two lots should be created, one at 20.01 acres and one at 4.99 acres.
2. A variance should be requested at the time of preliminary plat asking for placement of a future dwelling further from the road than the existing barn;
3. An IUP should be requested at the time of preliminary plat allowing for the barn to remain on the site without a primary dwelling for an indeterminate period of time until the lot is sold or the applicant comes forward for a building permit;
4. The barn will be maintained in good condition;
5. The applicant will work with the County on a common access point to the site

In addition, the commission included the Planner's conditions:

1. All comments from the Town Engineer shall be addressed.
2. All comments from the Town Attorney shall be addressed.
3. All comments from Washington County shall be addressed.
4. All comments from the watershed district shall be addressed.
5. A wetland delineation shall be supplied prior to the preliminary plat application.

6. Access points, subject to review and approval of Washington County, shall be placed on the preliminary plat.
7. Right-of-way dedication is subject to review and approval of Washington County.
8. Soil borings for the septic and house sites shall be supplied for both lots.
9. All easements on the lots shall be depicted on the preliminary plat.
10. Park dedication shall be paid.

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

Respectfully submitted,

Linda L. Klein  
Town Clerk