STILLWATER TOWN BOARD MEETING

August 28, 2008 Town Hall 7:00 P.M.

PRESENT: Chairperson Sheila-Marie Untiedt, Supervisors Jim Hiniker, Linda Countryman, Jim Doriott, Deputy Clerk Kathy Schmoeckel, Treasurer Carol Collins, Attorney Sam Edmunds, Planner Sherri Buss, Engineer Paul Pearson and Park Manager Rick Jacobson.

Schroeder Variance Hearing

Neighbors present: Allan Schroeder, 11929 Quail Avenue North
Mark Rasmussen, 11560 Quail Avenue North
Donald Cullen, 11760 Quail Avenue North
Curt Richter, 21755 Parrish, Scandia
Bruce Goldstrand

Regina Schroeder, 11929 Quail Avenue North, is requesting a variance from the number of accessory buildings and maximum square footage requirements. In 1996, the applicants' property was subdivided from a large farmstead and the applicants retained the existing 9.5 acre lot. The Township permitted the old farm buildings to remain on the property and construction of new accessory structures were permitted. The Township issued a variance to the applicant that required removal of the old buildings within three years. The old buildings have not been removed. The applicants are requesting a new variance at the request of the Town Board for the consideration of retaining the old farm buildings on the property. Chairperson Sheila-Marie Untiedt opened the Public Hearing and introduced Planner Sherri Buss who reviewed the issues involved. Policies relating to older farm buildings have changed since the original variance was issued in 1996. The provisions of that variance have not been enforced. The applicant would like to keep not only the older buildings but also the newer metal buildings. The mobile home trailer will be removed when the property is sold. The applicant said that the accurate measurement for the buildings is about 8,500 square feet. He had a letter from a neighbor, Pamela Monteiro, which was supportive of the variance request, which was read into the record.

The following comments were made:

- Allan Schroeder - He has never seen the original variance.
- Mark Rasmussen - He is President of the Hunter's Ridge Homeowners Association. He feels the 500 foot distance for notification is not sufficient and he feels it should be changed. 500 feet does not cover much in a rural community.
- Sheila-Marie Untiedt - She believes that the policy is that if the 500 feet touches a development, then the entire development should be included in notification.
- Rasmussen - The development was sold as a rural development. The Schroeder's buildings serve to hide equipment. They are very much in favor of supporting this variance. They feel that the Township's failure to enforce the variance means the Township forfeits their rights and this is grandfathered in.

- Don Cullen - The property is clean and kept up very nicely. The rural nature is appealing. He is in favor of the buildings staying. The contact list should include a homeowners association.
- Curt Richter - He is Chairman of the Board of Directors of Friends of Minnesota Barns. He also runs a salvaging business that takes down old barns but believes this barn and other historical buildings should be saved. The wording in the bonus lot section of our ordinance is a description of this barn. He recommends we add a historical section to our ordinance looking at a range of criteria. This was the heart of this land before it was developed in 1995. We have learned a lot in the last 12 years and we now appreciate the value of historic buildings. Other communities are finding that they need to preserve this type of building publicly and this one is done privately.
- Bruce Goldstrand - He is also a member of the Friends of Minnesota Barns. We want to preserve farmsteads, not just barns. They try to determine other uses for barns for an individual or community.
- Mark Rasmussen - He was speaking not only for the Homeowners Association, but also for Steve May who would like to see this preserved.
- Sheila-Marie Untiedt - We did not initially choose to destroy the barn. The developer chose it, possibly because of its utility. Since then we have reworked our subdivision ordinance to give a bonus to keep old barns.
- Jim Doriott - Is there a grain storage building? Sherri Buss - There are some crib type structures. She is not sure they actually count as separate buildings. She believes that the metal buildings were in better shape and that is why they were chosen to stay.
- Allan Schroeder - The corn crib was taken down. The semi-trailer will be taken out and the piles of wood will be removed.
- Sheila-Marie Untiedt - The trailer was an allowed use because it was used by someone in a caretaker capacity. It should have been removed when that use was no longer needed. This issue should be tied up better in the future.
- Linda Countryman - What are the plans for the potential buyer? There are upkeep issues. Schroeder - The buildings will be used for storage. The dairy barn was all redone in 1994. Sherri Buss - If we amend the variance, we can add conditions regarding upkeep and allowed uses for them.
- Jim Doriott - We cannot do anything to make people keep the buildings.
- Rasmussen - They would like to see the buildings maintained.
- Curt Richter - The City of Stillwater has a demolition permit process that at least makes people think about what they are doing.
- Linda Countryman - You could look at the historic designation process.
- Bruce Goldstrand - How does the Board feel about maintaining the rural status of the Township? Sheila-Marie Untiedt - We feel very strongly about it. She referred to the Township's vision statement and the fact that we offer bonuses for preservation of old barns.

The public hearing was closed at 7:40 p.m.

Regular Meeting

1. AGENDA - M/S/P Hiniker/Countryman moved to adopt the agenda as amended. (4 ayes)

2. MINUTES - M/S/P Hiniker/Countryman moved to approve the 8/14/08 Stillwater Town Board Meeting minutes as written. (4 ayes)

3. TREASURER -
   a) Report given. Treasurer Carol Collins will follow-up with the Axdahls for payment of their park dedication before reducing their letter of credit.
   b) Claims and checks #18800 through #18812 were approved for payment.

4. ATTORNEY -
   a) Gohlike - M/S/P Countryman/Hiniker moved to adopt the resolution for assessment of delinquent fees with the new balance of $287.50. (4 ayes)
   b) Ballot Question - M/S/P Hiniker/Countryman moved approval of the resolution authorizing question concerning option B to be voted on at the annual election. (4 ayes)
   c) Otchipwe Trails - Questions remaining include, is this property encumbered by a conservation easement, what is the County's response and what could we use this property for if we were to acquire it? The deadline has been tabled while negotiations and discussions are ongoing.
   d) Slushers Mailbox - They did execute an encroachment agreement where they will not hold the Township liable for any damage done.
   e) Midwest Asphalt - The balance escrow on Otchipwe Trails of about $1,500 was signed over to them as requested by the Board.

5. PLANNER–
   a) Schroeder Variance - M/S/P Countryman/Hiniker moved to allow all farm buildings to remain on the property subject to:
      - the buildings are maintained
      - the uses are limited to those allowed in agricultural or residential zoning, and
      - the trailer and mobile home must be removed when the property is sold.

      (4 ayes)

      This is based on the Comprehensive Plan and Ordinances as outlined in TKDA's Memorandum dated August 22, 2008.
   b) Metropolitan Council - They have approved our surface water plan. They have not changed any of their proposed policies because of our concerns. Sherri Buss will follow-up with them.
   c) Orne Variance - This is a nonconforming property on Twin Lake. Washington County is wondering how we would like to handle the variance hearing. The consensus was that the Township should receive the application and hold the public hearing at the Township level.
   d) Cannon Property - They were checking with the City to get an informal feeling of what their thoughts are. They have requested an application. Sherri Buss

will follow-up with them.

6. ENGINEER -
   a) Minar Avenue - Engineer Paul Pearson reviewed his memorandum dated August 28, 2008 which is a suggested letter for residents in the Minar Avenue development to keep them up to date with what has been done with respect to their traffic issues. The letter will be sent out by the Nelsons.
   b) Engineer Paul Pearson complimented Sherri Buss on getting Metropolitan Council to accept our stormwater management plan.

7. TOWNSHIP PICNIC - A letter will be sent to the Park Committee expressing the Board's appreciation for all of their work. The consensus was that the picnic was a great success. The Park Committee will be asked for their input as to whether this should be an annual event. Letters of thanks will also be sent to the sheriff's canine unit and to the fire department.

8. OTTO BERG PARK -
   a) Three new trash cans are needed. Jim Doriott and Rick Jacobson will get prices.
   b) Cargo net - This will be installed by the vendor.
   c) Fence - It needs to be repaired.
   d) Rick Jacobson needs a list of the people using the Park. He will check with the coaches that are there.
   e) Rick Jacobson suggested no parking signs on the north side of 90th Street since it is hard for traffic to get through.

M/S/P Hiniker/Doriott moved to install whatever we need to make no parking clear on the north side of 90th Street. (4 ayes)

9. COMMUNICATION MEETING - There was discussion as to how to promote the upcoming ballot question. Sheila-Marie Untiedt offered to help in writing an endorsement for the question. Bev Petrie will be asked to check with the Minnesota Association of Townships to see what percentage of Townships have appointed clerks. A special mailing is a possibility.

With respect to the website, Linda Countryman reviewed the proposals from Bob Ranalla and from .gov. Linda Countryman will forward the notes from the last meeting to the Board. There was discussion as to whether the committee should be set up as a formal committee with members appointed and paid and with a liaison member from the Board. Forms should be created for web and newsletter input from members.

10. ADJOURNMENT - The meeting was adjourned at 10:00 p.m.

Clerk_____

Chairperson_____

Approved_____