

SEPTEMBER 10, 2024, TUESDAY, TOWN BOARD REGULAR MEETING @ 6:00 PM, CROW WING TOWN HALL

Board Members Present: Chairman Doug Kern, Supervisor Nathan Hulinsky, Supervisor Paul Stephany, Treasurer Cody Osell, and Clerk Sue Kern.

The Regular Town Board Meeting was called to order at 6 pm. The Pledge of Allegiance was recited. Residents were reminded to sign the roster. There were no gopher bounties.

Approve Agenda: Nathan made the motion to approve the agenda as presented. Doug seconded the motion. No discussion. Motion passed 3-0.

Public Comments: Randy asked for Class 5 to be put at the end of his road where it meets the Township Road. Doug stated he had talked with Northland Excavating about it but that he was retiring. Stan from S&K was in the audience and Doug, and he will get that done.

New Business: Northland Industrial Park: Rezone Application for PIDs 56020534, 56020535 & 56020543: Planning and Zoning Chairman Brad Arnold reported that there was a public hearing at the Planning and Zoning Meeting on September 3, 2024, for a rezone and a preliminary plat application for the above PIDs. The Planning Commission showed full support for the rezone. A motion and second was made in approval of the rezone of said parcels from Ag Forest to C-2 Commercial. The Planning Commission stated that the developer had done an excellent job with documentation and lay out of the plan but also added there was a petition of approximately 100 residents opposing the plan and many of them in attendance at the public hearing. There were 45+ residents in attendance at the public hearing. Further discussion ensued and Mr. Schieffer stated that he would consider the setbacks between residents along the eastern and southeastern locations of the property and a possible easement for the trail along Business 371. Motion passed 4-0. The second portion of the public hearing was the plat application for said properties as above. Brad reported that a motion was made and seconded by the Planning Commission to recommend to the Town Board to support the preliminary plat of said parcels to include 15 C-2 Commercial lots. Contingencies of the motion included that final MNDOT plans must be signed by the state with written approval, the Developer's Agreement with the Town Board needs to be completed, the Stormwater plan needs to be signed off by a licensed engineer as well as stamped by the State of MN, plat to include an additional 25 feet of buffer at 75% screening on the eastern and southeastern borders of the property, and a statement regarding easement for the existing ATV/snowmobile trail at the railroad bed location. The Planning Commission recognized the fact that there was a full crowd in attendance and a petition going to the Town Board in opposition. No further discussion. Motion carried 4-0 for support. The requested action of the Town Board was to take final action (motion) on the proposal for rezoning said parcels from Agricultural/Forestry to C-2 Commercial and the preliminary plat proposal of said parcels to include 15 C-2 Commercial lots. If denial or table is recommended by the Town Board a finding of fact would need to be provided. Doug asked Brad to define what C-2 Commercial would be. Brad explained it could be a convenience store, an office building, a liquor store, small utility service or anything like those along Bus. #371. Each business would need to be approved by ordinance and recommended by the P&Z Commission. An Industrial business, for example, would need a conditional use permit before it could be accepted. Doug asked how many residential homes could be in that 53-acre parcel. Brad stated it could be like small twin homes or tiny housing but those could possibly be a cluster development or with a community septic/well. Doug stated he could see that along a trunk highway it was right to put in businesses but along the residential side he was concerned for the residents. He also stated that residents felt this came up on them too quickly. He liked the contingency of the additional 25' buffer. Brad stated that the potential businesses would typically be the 9 to 5 type of business. Chris Sonmor stated that the density of housing would require 1 acre plots because of soil/water unless they were to get utilities from the city. The contingencies of the setbacks and trail easement were discussed at length. Doug Schieffer stated it was never his intent to take the trail away from anyone, however, if the trail would become abandoned that the easement would relinquish and should go back to the property owner. Legals would need to be with attorneys before exact wording could take place regarding the easements. The discussion alleviated the Supervisors concerns regarding the trail. Further discussion ensued regarding the density of the trees/vegetation and whether there was an encroachment on the property. It was decided that the GIS maps are sometimes slightly off. Brad did a site visit, and he stated the buildings didn't appear to be encroaching. If the driveway did encroach would only be maybe a foot. He stated the driveway is right on the line. Doug Schieffer stated the buffer would be from the property

line. Paul made a motion to approve the Rezone for PIDs 56020534, 56020535 and 56020543 from Agricultural Forestry to C-2 Commercial. Doug seconded the motion. There was a question from a resident regarding the need for a turn lane/bypass lane and he was told that MN DOT has control of that decision and MN DOT did not require it. Motion carried 3-0.

Nathan made the motion to approve the preliminary plat application PIDs 56020534, 56020535, and 56020543 as designed with contingencies of additional 25 feet with 75% screening vegetation buffering on lots 8 and 9 on the Southside, 11 & 12 on the Eastern side and with a permanent perpetual easement of access of the existing ATV/snowmobile trail on the railroad bed on the Southside of Business 371 with the condition that easement travels with ownership. Additionally, with abandonment of the trail, the easement relinquishes to the property owner. The Developer's Agreement with the Township board must be completed, developer must have final approval from MN DOT permit, and the developer/builder and contractor are responsible for applying with MNCPA and NPDES for a construction storm water permit. The plat map designates the contingency of increased buffers with green highlighting. Doug seconded the motion. Passed 3-0.

The Developer's Agreement was discussed. Doug made a motion to approve the general terminology of the Developer's Agreement. Paul seconded the motion. The Developer's agreement will be completed administratively in the next few days.

Unfinished Business: Garage Addition Project Update: Brad reported that we are waiting for a septic inspection and the project may start next Monday. The trees have been cleared. The brush pile needs to be moved and burned.
Planning Commission Report: Three violation letters have gone out and residents have not responded. There has been a Fall rush on permits.

Treasurer's Report: Cody had paperwork from the First National Bank North which the full board signed authorizing Cody to oversee banking transactions. Time sheets were reviewed and approved. Claims #2411 to #2430 were reviewed and approved.

Road Report: Northland Excavating Grading Contract Ends in October: Brad Gorron is retiring, and Stan will be taking over the grading contract. There are 5 areas that need Class 5. Ditch mowing is in the process with the use of the extension arm. **Tree Trimming:** S&K is doing a good job.

Cemetery Report: There has been one burial.

Fire Administration: Nathan gave the report. There have been 3 calls in Crow Wing Township in the 2nd quarter and one good intent call. He went over the budget, and it is par.

Administrative Business: L&R Meeting Friday, September 13, 2024.

Communications: Tax Forfeited Letter from Crow Wing County was reviewed.

Announcements: Township Legal Seminar on September 28, 2024.
CWCATO October 23, 2024, @ Ideal Township.

Approve Minutes: The August 20, 2024, meeting minutes were reviewed. Nathan made the motion to approve the minutes as written. Doug seconded. No discussion. Passed 3-0.

Adjournment: Doug made a motion to adjourn the meeting. Nathan seconded. No discussion. Passed 3-0. The meeting adjourned at 8:20 pm.