

**OFFICIAL MINUTES  
SPRING LAKE TOWNSHIP  
MONTHLY BOARD MEETING  
September 14, 2017**

SPRING LAKE TOWNSHIP TOWN HALL  
20381 FAIRLAWN AVENUE, PRIOR LAKE, MN

**Present:**

Doug Berens - Supervisor  
Melissa Hanson – Clerk

Glenn Kelley – Supervisor  
Stacy Siegle - Treasurer

Ted Kowalski - Supervisor  
Sara Domer – Deputy Clerk

**Also Present:**

Kyle Renneke - Stantec

- 1)**
  - a) The meeting was called to order by Chairman Kelley at 7:30 p.m. The pledge of Allegiance was said.
  - b) Changes to the agenda. Hanson requested to amend 3.a to consider request by Board of Adjustment for no parking on one side of Addison Drive following their approval of the Brett variance on 9/11/17. Hanson advised the request for the Interim Use Permit in item 3.b has been withdrawn for this meeting and David Watt is unable to attend so Ross Abbey and Erica Forsman will be representing for US Solar. Kowalski made a motion to approve the agenda as presented. Kelley seconded. All in favor.
  - c) Approval of the August 10, 2017 meeting minutes. Berens made a motion to approve the minutes. Kowalski seconded. The minutes were approved 3-0.
  - d) Approval of the 2017 annual meeting minutes. Berens made a motion to approve the minutes. Kowalski seconded. The minutes were approved 3-0.

**2) Public Commentary**

- a)** Dennis Thom - 20816 Addison Drive. Thom stated that he has appealed the Scott County Board of Adjustment variance decision for 20806 Addison to the District Court. He also expressed concerns about a utility pole that was moved into the road/right of way, water washing onto his yard and beach from changes to the front and back of the yard at his neighbors at 20806 Addison (pictures provided). Thom also suggested that there were building code violations and asked that the site be reviewed prior to additional permits being issued.
- b)** Curt Hennes - Prior Lake Spring Lake Watershed District. Hennes noted that Scott SWCD, in conjunction with the WMO, will be hosting a tour on Monday September 25<sup>th</sup> convening at the Highway County Garage 282 building at 3:15. Hennes provided an update on the Raymond Park project and explained that significant work has been done including clearing of over grown areas. Hennes asked that the Board review the no parking areas on both sides of the road near Raymond Park to allow more people to enjoy the park.
- c)** Jane Thom- 20816 Addison Drive. Thom expressed her appreciation of having no parking on one side of the road on Addison Drive in the past. She asked for no parking signs to be replaced on the road and in the cul-de-sac.

**3) Agenda Items**

- a)** Consider Two Variance Requests to Build an Attached 3 Car Garage Located at 20806 Addison Drive. The variance for this building was recommended by the County Board

of Adjustment on 9/11/2017 at which time the Board asked the Township to consider adding no parking on one side of the road after concerns expressed by neighbors and because of the narrow width of the road. Kelley concurred that parking options should be considered and directed staff to review the area and provide a recommendation for review in October.

- b) Consider a Variance Request to the Zoning Requirement for a Two Mile Separation Between Solar Gardens and an Interim Use Permit from US Solar for a 1 megawatt Solar Garden Located at 1190 E 205<sup>th</sup> St. Jordan. Erica Forsman introduced herself and Ross Abbey with US Solar (USS) a local company doing solar projects throughout the state. Since fall 2016 USS has been developing a site in Spring Lake Township for a solar garden and came before the Board seeking a variance as it is within two miles of another proposed/permited solar garden which is prohibited by Scott County Ordinance. Forsman provided a brief overview stating the solar garden would be on 9 acres of land at 1190 E 205<sup>th</sup> St. Jordan. The project is similar to MN Solar (MSC) and fully screened on all sides with double trees to hide the project from roads and homes. US Solar is asking for a variance to reduce the distance to 4200 feet between Solar Gardens. Forsman explained the new minimum two mile buffer requirement resulted in a new priority system as it is the first one in gets to build and contends that MSC application was not complete at time of submission. Kelley suggested that USS was at the wrong venue as it is a county ordinance that was in question. Forsman explained that they were seeking a recommendation from the Township and will also appear before the County Board on October 9<sup>th</sup>. Abbey explained that there is an eight factor test for the variance but the critical issue is Xcel's interconnection agreement and the priority of projects within it. Abbey submitted a timeline outlining the steps that USS has taken and feels that they made a good faith effort to rely on the requirements of the ordinance for their submission and did not know there was another company also applying for an Interim Use Permit. USS received their Xcel Interconnection Agreement in July, in advance of MSC. MSC has not yet received an interconnection agreement. The priority of the interconnection agreement is critical to the process for both companies and to Xcel since there are multiple ramifications and unintended consequences that could put both projects in jeopardy if USS is not allowed to proceed. Berens stated that he is not necessarily opposed to the project but does not have enough information about the project to support the variance. Kelley suggested that it's a procedural issue and that we would have no recommendation as it's a county ordinance. Kowalski stated that if the County grants the variance they need to come back before the Township with the request for an IUP and suggested having a Development Review Team meeting to review the project as MSC did. Renneke stated that the 2 mile separation was for aesthetics as a result of two large solar gardens being built in close proximity and this project is quite different because of distance, size and screening. USS agreed that it will engage with the Board in the IUP process. Berens made a motion to not make a recommendation and pass it to the County. Kowalski seconded. All in favor
- c) Discuss speed limit increase from 55 mph to 60 mph on Trunk Highway 282 between the intersection with Baseline Ave/County Road 79 and the intersection with MNTH 13. MnDot has looked at the road and is planning to raise it to 60 MPH. Renneke suggested that it makes sense on the stretch that is in Spring Lake.

#### **4) Engineer's Report**

Renneke presented the September Engineer's Report.

- a) Signage Replacements. Safety Signs is expected to start work the week of 9/11/2017.
- b) Resident Drainage Concern- Fairlawn Lane/202<sup>nd</sup> Court East. A section of curb and gutter was replaced on 8/2/17. During subsequent rain events, there was still water ponding and overflowing into the cul-de-sac. A quote for the addition of inlets to the system in this area was received for \$11,000. The Board asked the engineer to examine other options to fix the drainage issue.
- c) Xeon Ave/South Sutton – Pavement
  - i) Pavement failure was identified on South Sutton Lake Boulevard during the spring road tour. The mill and overlay work is now complete and it looks fine. Engineer will reexamine the project for any issues immediately prior to the 2-year warranty period's expiration date in October.
  - ii) Consider request from resident about status of speed study. Board reviewed the minutes from November 2017 wherein MnDOT said there is not sufficient traffic to warrant a study. Board asked the engineer to review road for issues with site lines for a driveway.
- d) County Turn Lane & Turnback Meeting. A Scott County public hearing meeting was held 9/14/17 to receive input from the public and Township related to the roads being turned back and conditions that would be considered with that process. The timing of the turn backs would need to be scheduled to match the timing of a potential Township Turn Lane Fee. We anticipate that turn backs and fee ordinance would be considered by the Board at a later date.
- e) MS4 Pond Maintenance. Pond inspections for all ponds have been done, to maintain compliance with the MS4 permit period (ending July 31, 2018). Quotes have been discussed with local contractors to perform maintenance work. Based on the variety of work that is required, doing this on a time and material basis would likely be the most efficient way to move forward. A maintenance schedule can be discussed to divide this work over the next few years as well, if needed for budgeting purposes. Berens made a motion to spend \$10,000 for MS4 pond maintenance in 2017. Kelley seconded. All in favor.
- f) Miscellaneous.
  - i) Concrete pavement and sidewalk repair at Town Hall parking lot is complete.
  - ii) Chevron signs were replaced in a timely manner along the Mushtown Curve following an accident reported by the Sheriff's Department.
- g) Developments.
  - i) Geis Development – No activity
  - ii) Henzler Properties – Discussions continue related to dividing into 2.5 acre parcels.
  - iii) Mueller/Perkins Property - Discussions continue related to dividing into 2.5 acre parcels.
  - iv) Harvest Bluffs project sent some questions to engineer and are being reviewed.
  - h) Jasper property with dual access driveway has reclaimed pavement in the township right of way which should be restored. Board directed staff to find previous letter sent to property owner addressing clearing gravel out and restoring to the same condition as the rest of the property.
  - i) Concerns with amount of dirt being hauled on to new property on 190<sup>th</sup> and Panama. Staff to check with County on permits.

## 5) Road Report

a) Post replacement. Chevron signs on Mushtown Road between Jackson Circle and 180<sup>th</sup> were knocked down by a car. New posts were installed.

b) No road issues.

c) 195<sup>th</sup> ditch work complete.

**6) Town Hall and Parks Report**

a) Consider three quotes for new DVR for video equipment at the Town Hall. Hanson presented three quotes for a new DVR at the Town Hall. JSB in the amount of \$1,643.22, Ban-Koe in the amount of \$1,480.08. Electro Watchman in the amount of \$1,065.13 Kelley made a motion to approve bid from Electro Watchman for \$1,065.13 for new DVR. Berens seconded. All in favor.

b) Request approval for phase 2 and phase 3 of tree work at Fish Lake Park.

Domer requested approval of phase 2 and 3 of Fish Lake Park. Kelley made a motion to decline proceeding with phase 2 and phase 3. Kowalski seconded. All in favor

c) Sound system. Board requested Staff to look into installing speaker system with wireless 2-3 microphones and investigate what other townships (New Market) have done.

**7) Water Resources Report**

a) Due to changes with the contractor's schedule, work on Spring Lake Launch delayed to 10/1 or after.

**8) Treasurer's Report**

a) Siegle presented the August, 2017 Treasurer's Report. In August, total receipts were \$29,665.03, total disbursements were \$105,817.56, and the ending cash balance was \$1,341,780.72. Kelley made a motion to approve the August, 2017 Treasurer's Report. Kowalski seconded. All in favor.

**9) New Business/Old Business**

a) Approval of August 31, 2017 Special Meeting Minutes Regarding a Proposed Turn Lane Fee Study and Proposed Turn Lane Fee Ordinance and Resolution. Kelley made a motion to approve the minutes. Kowalski seconded. The minutes were approved 3-0.

**10) Approval of Disbursements** The Board reviewed the September, 2017 disbursement ledgers and approved checks numbered, 11986 to 12026, to be issued with 12024 to 12026 being voided. The checks were signed and given to Hanson for mailing.

**11)** The following items were included in the Board's information packets for informational purposes:

- List of upcoming meetings

There being no further business before the Board, Kowalski made a motion to adjourn. Kelley seconded. All in favor. The meeting was adjourned at 9:45 p.m.

Melissa Hanson, Clerk  
Spring Lake Township

Minutes approved \_\_\_\_\_

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Glenn Kelley, Chairman

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Melissa Hanson, Clerk