

New Haven Township

OLMSTED COUNTY, MINNESOTA — EST. 1858

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9024 COUNTY ROAD 3 NW, ORONOCO, MN 55960

Special Town Board Meeting Minutes September 1, 2020

1. Call to Order: The Pledge of Allegiance was recited and a special meeting of the New Haven Town Board was called to order at about 6:30 PM by Chair Mary Andrist. Quorum requirements were met with Supervisor Denny Beyer and Supervisor Brian Hervey also present. Also in attendance were Planning and Zoning Administrator Ann Fahy-Gust and Clerk Dale Thomforde.

2. Meeting Agenda: The purpose of the meeting was to:

- A. Review options for planning and zoning administration, and
- B. Review Schumacher hauling permit.

Since this was a special town board meeting, no additions or changes to the agenda were permitted.

3. Review options for planning and zoning administration:

Beyer had invited Olmsted County Planning to present to the Town Board what they had to offer to replace the township Planning and Zoning Administrator.

Ben Griffith (Olmsted County Planning Director) said they were at the meeting to hear what the township is looking for, and how they can assist. They provide Planning and Zoning (P&Z) services for four other townships in the County; Eyota, Marion, Quincy, and Oronoco. Each is a little bit different.

Peter Giesen (Olmsted County Deputy Administrator) thanked the Board for the opportunity to hear from the County Planning staff.

Mark Engel (Olmsted County Planning Supervisor) said they currently handle day-to-day operations in planning. They also have planning staff that assists in long-range planning. Currently they provide assistance to New Haven Township. They assist with public hearings providing notification lists, and publication of notices of the public hearings. There is a fee charged back to the township for these services.

The Olmsted County Board, Planning and Zoning Commission, and Zoning Board of Adjustment are the final authority in all but one of the townships. In all of their townships, the application goes through some process at the town board. With an application, they would seek a letter from the Town Board of agreement or disagreement of the application, and conditions or requirements the Town Board would like to put on the application. That would become part of the public record and it would move on to the approval board. Eyota Township has a formal pre-application process. When the application comes in, the County staff writes a summary. The applicant would go to the PAC or town board to get a letter of approval or disapproval. The applicant would take that letter to County Planning, pay the fees, and the application would go to the appropriate board. Marion Township is not as formalized, but the town board still has to

submit a letter of town board recommended action. With Oronoco Township, they separately make all their own approvals. The County has a staff member that attends all of their P&Z Commission meetings. The staff member takes the minutes of those meetings, and they process all of the advertisements. The final approval resides with the township P&Z Commission, Zoning Board of Adjustment, or Town Board, depending on the application. That describes the three styles they currently administer the townships. They also do enforcement and review of conformance.

They work closely with the County building officials for the 4 townships and the City of Stewartville. The Planning staff also answers zoning questions, emails, and face-to-face discussions for the townships they work with, along with staff level approvals. They bring with them long-range planning services. Currently he has 2 additional staff members plus himself.

They have a process where final approvals can be from the County or the township, depending on how the township wants it done.

Mr. Griffith added that they are full service; P&Z, enforcement, building inspections, and permitting services. All of their staff are certified and have the proper credentials and certifications, as required by the State. They have one of the 6-7 state delegated well programs, and are audited by the State. They also have GIS services, which are doing next generation 911. They are a one-stop shop for all services, to help keep the township boards out of trouble. They are available for the township boards and residents. They will forward a fee schedule to the Township. There are no extra fees other than fees covering some of their costs. They also do flood plain and shoreline management and work with the DNR.

They have reviewed the New Haven Township ordinances. They are similar to the County ordinances, but they have made several updates since the Township ordinances were last updated. Mr. Engel said they would like to keep them up-to-date and use the County ordinances.

Ann Fahy-Gust asked how it would work if the township wants to be stricter than the County. Mr. Griffith said they deal with many different issues like solar farms and wind mills. The conditional use process is used to handle things that are outside of the ordinances.

Beyer said we are currently studying options to replace Planning & Zoning Administrator Ann Fahy-Gust, who has graciously given the Township 2 months to find a replacement for P&Z administration. Mr. Engel said they would be willing to work with the Township to provide what the Township is looking for.

Vince Fangman (11724 110th Ave NW) said he is a licensed surveyor. He asked the Township to look at Township Cooperative Planning Association (TCPA), not as a recommendation, but as an option.

LaMoyne Bruce (9474 County Rd 105 NW) said he was on the Town Board when all this was started. They heard a lot of complaints about the County. The County wanted to shut down the campground that had been there for years. He said we need the personal feeling in the Township of people that are familiar with the Township. We have been spoiled with Ann, and that we should do our very best to keep it in the Township, if possible.

Dave O'Brien (12702 County Rd 3 NW) said he was backing what LaMoyne Bruce said. He thinks there are some people in the Township that would like the job and Ann would work with them to train them in. We are going into a slower time for permitting now until the first of the year. If the Township doesn't have an employee for zoning, we would lose the revenue from zoning. The Township currently has the lowest fees, TCPA next, and the County is most expensive. He said he sits on the Board of Adjustment, and recently handled a variance. If they were sent to Rochester, he doesn't know if they would have gotten through it. Ann had walked them through the process. He said we have been working with a building inspector since it started, and his fees are not as high as the County fees would be. He would like to keep P&Z in to the Township, and remember the past efforts to keep it in Township.

Don Heller (9019 60th Ave NW) said he is on the Board of Adjustment for a year or two. He thinks sometimes you get bad news, but it hurts less if it comes from a neighbor. Rochester is expanding, and they would have more leverage than the Township. If you surrender duties to the County, it would be very hard to get them back.

4. Review Schumacher hauling permit:

Planning & Zoning Administrator Ann Fahy-Gust said she spoke with Scott at Schumacher. He wasn't interested in getting a hauling permit. Andrist talked to Todd and he said they would send a water truck, which was never done. There has been a lot of dust on 110th Avenue due to Schumacher hauling fill from Pine Island to Keith Maxson's farm without a permit. They said they will be hauling for 2 more months.

Keith Maxson (10925 110th Ave NW) said he wasn't aware that there was transit permit requirement. He said all parties on the road have put chloride on the road. He suggested maybe the road needs to be graded to stir it up.

Ann explained there is a \$200 temporary construction permit for a hauling permit. There is an inspection before and after the hauling. Any damage to the road would be the responsibility of the hauling company.

Vince Fangman (11724 110th Ave NW) said that he lives by the road and said there is a dust problem and that the chloride is worn out. He called the Mayor of Pine Island because he thought they would be done by the end of July.

Andrist said Maxson, Schumacher and the neighbors need to work it out.

5. Adjournment: Chair Andrist adjourned the meeting at about 7:25 PM.

Approved by the Board,

Attest,

Date:

Date:

[Signed copy on file]

[Signed copy on file]

Mary Andrist – Chair
For the New Haven Town Board

Dale J. Thomforde
New Haven Township Clerk