

BALDWIN TOWNSHIP

30239 128th Street, Princeton MN 55371

PLANNING COMMISSION MEETING

January 27, 2016

Call to Order:

On this 27th of January 2016 the Regular Monthly Meeting of the Baldwin Planning Commission was called to order by Chairman Bryan Lawrence at 7:00 p.m.

Pledge of Allegiance:

The Pledge of Allegiance was recited.

Roll Call:

Commissioners present were Bryan Lawrence, Richard Marshall, Rich Harris, Peggy Patten and Judy Thorson. Planner Bridget Chard and Supervisor Liaison Randy Atwood was also present. The sign in sheet is attached. Added to the revised agenda is "Feed Lots" and "Budget at Next Meeting". *A motion was made by Commissioner Harris to approve the January 27, 2016 revised agenda which was seconded by Commissioner Patten; all in favor; motion carried.*

Secretary's Report:

Planning Commission Meeting Minutes of 18.November.15: *A motion was made by Commissioner Marshall to approve the November 18, 2015 regular meeting minutes after eliminating the word 'Supervisor' in paragraph 1, page 2 which was seconded by Commissioner Thorson; all in favor; motion carried.*

Hand Out Planning Commission Meeting Minutes of 28.October.15: The Planning Commission minutes of October 28, 2015 were handed out to be put into the Commissioner's Books.

Communications:

- **Notice of Position/Interview Applicant:** Lawrence welcomed and thanked Deborah Guy for showing an interest on being appointed a commissioner. He explained that the Planning Commission is a recommending body, and that its decisions are not final but that the town board expects good decisions as well as having the footwork done for them. After interviewing the applicant a *motion was made by Commissioner Marshall to recommend approval of the candidate to the town board which was seconded by Commissioner Harris; all in favor; motion carried.*

Lawrence made a recommendation to add to the agenda in the future to discuss the applicant's approval/disapproval among the commissioners without the

applicant present. There was discussion regarding the open meeting law. No action taken.

County Requests

- **Shervision:** Shervision is a County visioning group facilitated by the Initiative Foundation. This group has requested to have township representatives be part of the core group for the County visioning process. Top three goals are to come up with a community vision and plan, discuss business retention county wide and broadband expansion. Commissioner Lawrence said he would maintain the stand to continue the policy not to take township dollars outside the township. Commissioner Marshall's concern is that on the surface the vision planning may look good, but it sounds like a blatant statement under the cover of positiveness. Commissioner Harris said he doesn't like the statement 'preferred businesses' and feels that the whole thing needs to have a second look. Planner Chard suggested going to the meetings to have the verbiage changed. *A motion was made by Commissioner Marshall to recommend to the Town Board, as it pertains to Shervision that the township to be cautious with respect to goal #2 to "Develop and Coordinate a Business Retention & Expansion Countywide" and to their involvement in Shervision overall indicating a concern of preferential treatment to certain businesses, which was seconded by Commissioner Harris; all in favor; motion carried.*
- **Solar Discussion:** There is interest in different solar activities coming into the county, and some interesting dialogue is going on concerning solar energy farms and solar energy systems. Planner Chard asked the Commissioners to review existing standards and the literature given out and to come back to the next meeting in February prepared to discuss the subject. No action taken.
- **Feedlots:** Feedlot language was sent up from Sherburne County for review. Discussion was done on the final language and further clarification will be made by Commissioner Lawrence. This will be brought back to the next meeting in February.

Old Business:

See attached documents submitted to County from Town Board meeting

Item No. 1:

Rezoning Request: Johnson, Virgil Property See Attachment "A"

Initial inquiry regarding PID No. 01-009-1100 for possible rezoning from General Rural to a Commercial or Industrial classification. Process will be done at the Sherburne County level. Comments are requested from Baldwin Township. Total property size is approximately 26.83 acres plus or minus.

Recommendation to Town Board

Some of the Commissioners felt there was just not enough information to address the request at this time and recommended to Mr. Bayer to consider all of the issues brought up and if they wished to move ahead, to bring back more defined information with a site plan. Mr. Bayer thanked them for all of the comments and felt that he had a better idea of what to do and would consult with his clients.

No action taken.

Item No. 2:

Plat and CUP Inquiry. Outlot B of Deer Trails Property. See attachment "B".

PID No's 01-498-0010 or 01-498-0020 for possible Commercial classification for storage units. Property zoned Commercial Preferred with the stipulation that those that acquire the property would need to go through a Plat and CUP process. Actual CUP Process will be done at the Sherburne County level. Comments are requested from Baldwin Township Board.

Parcel ID No. 01-498-0010 is 1.40 acres and is valued at \$21,300. This parcel belongs to Forest Oaks Condos, Inc.

Parcel ID No. 01-498-0020 is 2.54 acres and is valued at \$38,700. This parcel is forfeit property.

There are two other parcels:

Parcel ID No. 01-498-0030 is 2.73 acres and is owned by Bright Child, Inc.

Parcel ID No. 01-498-0040 is 2.72 acres and is owned by HrKal Properties.

Recommendation to Town Board:

There was no consensus with the group on this matter and the Planning Commission felt that they needed a more defined plan with a lot more information before they could do a recommendation. There was considerable frustration that the County does not submit more and that there should be a discussion on this.

A motion was made by Commissioner Thorson to deny for lack of information which was seconded by Commissioner Patten; all in favor; motion carried.

Comprehensive Action Plan Work: Tabled. Planning Commissioners were to review the Plan and choose their work for 2016 and come back to the February meeting with their choices.

New Business

2016 New Planning Commission Schedule: The 2016 Planning Commission Schedule was handed out.

2016 Work Plan: *A motion was made by Commissioner Patten to table which was seconded by Commissioner Marshall; all in favor; motion carried.*

Solar Regulations Discussion: Ordinance No. 212 has already been adopted.

Commissioner's Corner: Supervisor Marshall feels the solar issue is important and that it needs to be reread and studied in order to give pertinent and timely comments.

Other: Liaison Randy Atwood was thanked for the dedication and energy he has put into the Planning Commission.

Adjourn:

A motion was made by Commissioner Marshall with was seconded by Commissioner Patton to adjourn at 9:34 p.m. with the next Planning Commission meeting to be held on February 24, 2016. Motion carried. Meeting adjourned.



Respectfully submitted:
Cheryl Goetz Dobson
Deputy Clerk



Bryan Lawrence, Chairman

3/30/14

Date

Amendments: _____



To: Baldwin Township Board of Supervisors
From: Baldwin Township Planning Commission
Date: 27. January, 16
RE: Rezone Inquiry - Johnson, Virgil and Lillian F – Trust
Reclassification from General Rural to Commercial or Industrial

ATTACHMENT "A"

REPORT/RECOMMENDATIONS

BACKGROUND:

1. Description of Request: Initial inquiry regarding PID No. 01-009-1100 for possible rezoning from General Rural to a Commercial or Industrial classification. Process will be done at the Sherburne County level. Comments are requested from Baldwin Township Board. Total property size is approximately 26.83 acres plus or minus.

2. Reclassification / Section 9 Twp 35, Range 26
Per Sherburne County Subdivision Ordinance 230
 - a. Owners: Owners: Johnson, Virgil and Lillian F - Trust
Property Address: N/A
Mailing Addresses: 319 12th Street NE Milaca, MN 56353
Phone: Bayer (1.612.904.7866 DIRECT
Email: Bayer rpbayer@cbcgriffin.com
Parcel ID No: 01-009-1100 Section 9, Twp 35, Range 26
Agent: Russell P. Bayer, Associate (Coldwell Banker)

3. Background Information:
 - a. Location: Section 9, Twp 35, Range 26 / 26.83 acres
Located just off of Township road (124th Street NW (frontage road). Presently vacant land
 - b. Restrictions: None known exist on said parcel
 - c. Easements: Unknown. There is a frontage road adjacent to a portion of the property.
 - d. Zoning District: Land is located in the General Rural land use district, but shows as Agricultural on map and the County Comp Plan has Rural Residential for the future. Baldwin Township proposed land use for this area is identified as Residential.
 - e. Green Acres / Rural Preserve: None noted
 - f. Access: Access from 124th Street (frontage road). Driveway entrance shows going to a grouping of trees which is probably the higher portion of land on the property. This abuts up to the edge of the MHP. Unknown the size of area in total square feet at this time.
 - g. Buildings: There are presently no known buildings located on the site.
 - h. Well: Not known if there is a well located on any portion of the property. None noted.
 - i. Soils: Per Sherburne County Soil Survey online map appear to be identified as the following:
1. 158 B - Zimmerman fine sand, 3 to 6% slopes. Soils are found on the landforms that are summits and backslopes. This is an excessively drained soil and the depth to wet soils is more than 6.7 feet all year. Available water capacity to a depth of sixty (60) inches: 4.8 inches. Because of the nature of the soils, there is a potential for ground-water contamination. Wastewater systems for this soil should be carefully designed with this in mind.



BALDWIN TOWNSHIP

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2, 799 -- Seelyville and Bowstring soils, 0 to 1% slopes, frequently flooded. These soils are muck and wet. They are usually found on flood plains and flats. The depth to restrictive layer is more than sixty 60 inches. These are very poorly drained soils. Available water capacity to a depth of sixty inches: 23.9 inches. These soils are not used for wastewater or building site development. Again, this soils has the potential for groundwater contamination.

- j. Wastewater Treatment Sites. None noted
- k. Wellhead Protection Area. This property is just outside of the Wellhead Protection Area of the City of Princeton.
- l. Shoreland – Property is not located in a Shoreland overlay district.
- m. Watershed District: None noted
- n. Wetlands: There is an overlay (see attached map) showing that most of the property is un-delineated wetlands and would need review. They are identified as freshwater forested/shrub wetlands on the map.
- o. Feedlot Setbacks. Feedlot setbacks in this area were not identified for this recommendation.
- p. DWSMA Area. The property is not located in the DWSMA (Drinking Water Service Management Area).
- q. Neighboring Land Uses. There is a MHP (Manufactured Home Park) to the NE of the property, and plats with residential surrounding it.
- r. Lidar Points. Unknown at this time
- s. Airport Zone. This property is also not located in the Airport Zoning District area.

4. On File:

*Township just received an email and picture with general information. No application was received. Should consider a more defined review process such as below;

Original documents:

1. Signed Right to Enter form – signed and in file
2. Copy of Deed showing present ownership – Warranty deeds in file
3. Certificates of Survey (signed) – to be submitted for files
4. Owner/Agent form – If there is someone other than the Owners representing themselves.
5. Emails on file
6. Background information from previous files and Sherburne County
7. Review, Findings and Fact / once completed
8. Certificate of Conformity – completed.

5. Site Visit:

Planner reviewed the site on 01.27.16. Pictures were taken from the road.

6. Standards and Policies:

- a. Baldwin Future Land Use Plan:

Goal 1. *Agricultural (d). Promote the use of buffering techniques via open space development, greenways, and similar planning tools to protect farming from residential infringements.*

This property abuts to the north east the Manufactured Home Park and residential uses to the north and south. It presents a buffer between the highway and the residential land uses around it.

Agricultural (a). Identify the soils in the Township which support agricultural uses and determine if they are already being used for agriculture use. If not, designate those areas for agricultural that are available.



While there is a frontage road that could be considered, the soils are a concern. Concerns about groundwater and water pollution must be addressed. This property might be used in a TDR (Transfer of Development Right) to another site.

Goal 2. Commercial (1). Review buffering where needed to protect commercial uses from neighboring residential uses.

This might be a natural area where the whole portion of the property is not rezoned, but the portion that is found to sustain a small commercial business through a land split and then rezoning leaving the remainder wet areas of the property in its' natural state.

- b. Must meet with the Subdivision Ordinance of Sherburne County, dated December 21, 1994 and as amended on May 2013.

Would need to be met.

7. Planning Commission Regular Meeting: 27. January.16

The Baldwin Township Planning Commission opened their regular meeting on the 27th of January, 2016 and reviewed the general inquiry for PID No. 01.009-1100 which is located in Section 9 and consists of 26.83 acres. Mr. Russell P. Bayer, Associate Coldwell Banker Commercial was on hand to make the inquiry for the Johnsons. Planner Chard went over the above background information and then turned it back to the Chair.

The following items were discussed with the Agent. Since there was no additional information, what type of business were they looking at? Agent did not have a particular business but would prefer industrial after speaking with the Zoning Administrator at Sherburne County. Agent felt this might be a good fit. It was noted that there is a large portion of the land that is covered by wetland and would need delineation. More definition such as what they intended to do and a site plan would have been helpful. Agent had not gone out to the site. Commissioner Patten suggested that he go and look and bring boots since it is wet and that may be why it has not been developed yet. She further stated that two homes had burnt down to the east and had just been rebuilt and would probably not care for an industrial use there.

Industrial versus commercial uses still would need a Public Hearing and that everyone in that area would probably be in attendance to speak to the issue. Liaison Atwood stated that a property to the North of this one had just recently asked about reclassification and it had been turned down. Chair felt that this might be set up in the future for a Highway PUD (though there is nothing there stating that) and that it might be a fit for a commercial or industrial site sometime in the future. A concern about being so close to the City was expressed. Other issues reviewed was the type of access and the neighbor directly in front of the property.

Some of the Commissioners felt there was just not enough information to address the request at this time and recommended to Mr. Bayer to consider all of the issues brought up and if they wished to move ahead, to bring back more defined information with a site plan. Mr. Bayer thanked them for all of the comments and felt that he had a better idea of what to do and would consult with his clients. NO ACTION TAKEN.

Planner will inform the Board and submit this information to the Town Board for their consideration.



B. Town Board Meeting: 01. February.16

The Baldwin Town Board met on the 1st day of February, 2016 and held their regular Board meeting. At this meeting, the Board took up the inquiry request for rezoning and reviewed the information from the Township Planner. Planner Chard had sent the documents by email to the Township for the Board's review prior to the meeting and went over the background and the Planning Commission's discussions. Agent Russell Bayer, was not in attendance at the Town Board meeting. Planner Chard also stated that the Agent had thanked the Planning Commission for their comments.

After review and discussion, the Town Board concurred with the Planning Commission that additional information would be needed prior to making a recommendation to Sherburne County regarding the rezoning. Further, they would want a site plan with more details, how the Applicant will deal with the soils and wetlands on the property as well as what type of business they might be proposing to consider for the property.

Not action was taken on the matter from the Town Board.

Note: Information to be placed in Planning Commission file for this parcel for future reference.

Date: February 2, 2016

Submitted by:

**/s/ Bridget Chard, Planner
Baldwin Township**

Reclassification

Initial Inquiry:	15.December.15
Materials Sent:	15.December.15
Application In:	
Site Visit:	01.27.16 Drive by
P.C. Approval:	01.27.16 No action taken / information shared
Town Board Approval:	02.01.16 No action taken / Information shared
Notification Date:	
Mailing Date:	
Recording Date:	



To: Baldwin Township Board of Supervisors
From: Baldwin Township Planning Commission
Date: 27. January.16
RE: Deer Trails Outlot B Inquiry / Sherburne County

Attachment "B"

REPORT/RECOMMENDATIONS

BACKGROUND:

1. Description of Request: Initial Inquiry regarding PID Nos. 01-498-0010 or 01-498-0020 for possible Commercial classification for storage units. Property is zoned Commercial Preferred with the stipulation that those that acquire the property would need to go through a CUP process. Actual CUP Process will be done at the Sherburne County level. Comments are requested from Baldwin Township Board.
Parcel ID No. 01-498-0010 is 1.40 acres and is valued at \$21,300. This parcel belongs to Forest Oaks Condos, Inc.
Parcel ID No. 01-498-0020 is 2.54 acres and is valued at \$38,700. This parcel is tax forfeit property.
There are two other parcels:
Parcel ID No. 01-498-0030 is 2.73 acres and is owned by Bright Child, Inc.
Parcel ID No. 01-498-0040 is 2.72 acres and is owned by Hrkal Properties
The attached drawing appears to be closer to Parcel No. 0020 which is tax forfeit property.
2. Reclassification / Section 21 Twp 35, Range 26
Per Sherburne County Subdivision Ordinance 230
 - a. Owners: Owners: Tax Forfeit land
Property Address: N/A
Mailing Addresses: Contact Assessor's office / Sherburne County
Phone: Sherburne County Auditor/Treasurer's Office 1.763.766.4350
Email: www.co.sherburne.mn.us
Parcel ID No: 01-498-0010/0020 Section 21, Twp 35, Range 26
3. Background Information:
 - a. Location: Located just off of Hwy 169 S and County Road 9 on NW corner.
 - b. Restrictions: Must go through CUP process for what the Applicant requests.
 - c. Easements: Unknown
 - d. Zoning District: Land is located in the proposed Commercial land use district on map and the County Comp Plan has Commercial for all down Hwy 169 for the future.
 - e. Green Acres / Rural Preserve: None
 - f. Access: Possible access from 125th Street to County Road 9. (aka 293rd Avenue NW).
 - g. Buildings: There are presently no buildings located on the site.
 - h. Well: None noted
 - i. Soils: Per Sherburne County Soil Survey online map appear to be identified as the following:
1, 15B B Zimmerman fine sand, 3 to 6% slopes. This is a fine sand which is excessively drained on summits and backslopes. Depth to wet soil moisture status is more than 6.7 feet all year. The permeability is excessive and has the potential for groundwater contamination and wind erosion. Care should be given to wastewater treatment and water systems.
 - j. Wastewater Treatment Sites. None on site.
 - k. Wellhead Protection Area. None.



- l. Shoreland -- Not located in Shoreland Overlay Zone
- m. Watershed District: None noted
- n. Wetlands: There is an overlay (see attached map) showing that most of the property is un-delineated wetlands and would need review.
- o. Feedlot Setbacks. Feedlot setbacks in this area were not identified for this recommendation.
- p. DWSMA Area. None noted
- q. Neighboring Land Uses. There is residential to the North with two potential commercials that would need to come off of 124th Street. To the south, there is still farming and some residential. To the East is Hwy 169 and to the West are more residential (plat and larger lots).
- r. Lidar Points. Unknown at this time.
- s. Alrport Zone. This property is not located in the alrport zone.

4. On File:

*Email Inquiry from Sherburne County / History of documents in file on Deer Trails.
Documents below would be useful for determining a full application.

Originals

- 1. Signed Right to Enter form -- signed and in file
- 2. Copy of Deed showing present ownership
- 3. Certificates of Survey (signed) -- to be submitted for files.
- 4. Plat of Deer Trails and background file information
- 5. Emails on file.
- 6. Background information from previous files and Sherburne County
- 7. Review, Findings and Fact / once completed
- 8. CUP -- once recorded in file

5. Site Visit:

Planner reviewed the site on 01.27.16. Pictures were taken from the road.

6. Standards and Policies:

a. Baldwin Future Land Use Plan:

Goal 2. Commercial. Encourage a sound and diverse business economy that not only meets the employer's business needs, but also the communities' needs.

Goal 2 (1 d & f).

d. Review buffering where needed to protect commercial uses from neighboring residential uses.

f. Deliberate on the town square concept and begin to possibly identify the uses that the local neighborhoods community may want.

Statements above expressed in Baldwin Comprehensive Plan and should be considered for these sites. Other sites in Deer Trails may possibly be more residential oriented.

Goal No. 2. Water Infrastructure.

Goals 2 (5). Educate businesses in the area about proper well and septic management with using best management practices to protect their wells and septic systems from contamination.



Again, careful consideration should be given around Interchanges since the final use on these parcels will either enhance or detract from the community. The statements above should be reviewed and the Hwy 169 Corridor Task Force comments that were amended later (June 12, 2009) should possibly be incorporated into the future review of this site.

- b. Sherburne County Ordinances must meet with Subdivision Ordinance of Sherburne County, dated December 21, 1994 and as amended on May 2013. *Would need to be met.*

7. Planning Commission Regular Meeting: 27. January.16

The Baldwin Township Planning Commission opened their regular meeting on the 27th of January, 2016 and reviewed the general inquiry for PID No. 01.498-0010/0020 which is located in Section 21 and consists of 1.40 and 2.54 acres respectively. It was determined that the parcel under review may be Outlot A (01-498-0010) even though the drawing does not make sense and shows it on Outlot B (01-498-0020) which is tax forfeit at this time. The tax information on Beacon has them listed together for Outlot B so there was confusion with the Planning Commission.

Discussion centered on the recommendations of the Hwy 169 Task Force and that the P.C. Chair, Mr. Lawrence had chaired this task force when it was working. He stated that the property should be able to handle any commercial and should also be a Hwy PUD process there. There was a letter sent with the inquiry by Sherburne County regarding the conditions for the Plat from 2004 (see attached 4/29/2004 letter). The Planning Commission reviewed the letter.

This should be kept in the file for future inquiries.

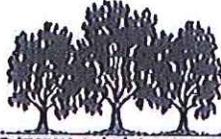
Questions on the proposed storage setbacks, the site review, what they would look like and how they would fit for the future communities' needs were discussed. There were lively discussions on the proposed use of this as a town square and possibly putting the town hall down there were also discussed but dismissed.

There was no consensus with the group on this matter and the Planning Commission felt that they needed a more defined plan with a lot more information before they could do a recommendation. There was considerable frustration that the County does not submit more and that there should be a discussion on this. Planner Chard recommended that this discussion could be done at a joint meeting with the Town Board and Ms. Riddle in the future.

NO ACTION TAKEN OTHER THAN A REQUEST FOR MORE DETAILED INFORMATION.

8. Town Board Meeting: 01. February.16

Date: _____



BALDWIN TOWNSHIP

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Submitted by:

Baldwin Township

Commercial Preferred/CUP

Initial Inquiry:	12.30.15
Materials Sent:	
Application In:	
Site Visit:	01.27.16
P.C. Approval:	
Town Board Approval:	
Notification Date:	
Mailing Date:	
Recording Date:	