

Maine Prairie Township
Special Meeting Minutes
August 1, 2017

The meeting was held at 8:30 a.m. in Attorney Mike Couri's office in St. Michael, MN, to gather information on whether or not to pursue enacting a subdivision ordinance for the Township.

Attendees: Supervisor Ron Kuechle, Chair Dennis Loewen, Supervisor John Wicker, Deputy Clerk Alice Robinson, Michael Couri, Esq.

Attorney Couri explained the following matters as they pertain to subdivision ordinances. There can be several classes within a subdivision ordinance and the class used depends on the nature of the subdivision request. Stearns County perceive subdivision ordinances to include either minor or major occurrences under their Subdivision Ordinance No. 230.

Minor splits are considered to be handled under the County Administrative Subdivision rules, Sec. 4.0, Administrative Subdivisions, Stearns County Subdivision Ordinance No. 230. Township zoning ordinance controls most minor splits. These splits do not need to be heard by the County Planning Board. No public hearing is necessary but preliminary review by the township is required prior to owner working with County Environmental Services. A minor split is less than 20 acres and no more than 3 lots. Minimum lot size may apply. They do require a survey by a registered surveyor. Generally, these splits do not have any effect on roads nor is there a need for an engineer. Township zoning ordinance and road standards policy sets standards. The township can issue a Certificate of Compliance.

Major subdivision splits require County Planning Board review and public hearings before the County Board of Commissioners. Developer Agreements are required with major subdivision platting. Under these agreements, the developer works with their own engineer in laying out the lots, roads, storm water runoff and sewer systems within the subdivision and with the respective township engineer. Townships are responsible in overseeing that the roads are constructed in accordance with their road standards policy since roads will be dedicated to the township upon completion of the subdivision. Maintenance of the roads will be the responsibility of the township after subdivision is complete. All expenses incurred in connection with construction of the subdivision are the responsibility of the developer and property owner. A Letter of Credit is held by the township.

Subdivisions within the shoreland zoning district are handled exclusively by the County, however, the township road standard policy, if necessary, prevails.

The County, when looking at the subdivision application, requires that the documentation submitted with the preliminary plat has been approved by the Township Board of Supervisors from the Township in which the preliminary plat is located.

Documentation shall include the Townships intentions to apply their road standards to the proposed subdivision. Township road standards take precedence over the County standards.

A question arose about assessing special assessments to property owners affected by road work in front of their property. Attorney Couri advised that an appraiser would need to be engaged prior to work being done and again after work is completed to evaluate whether there was an increase in the value of the property. Costs can be assessed for resurfacing but costs cannot be assessed for excavating. If there is an increase in property valuation, the assessment is based on the difference between the appraised value prior to work being performed and appraised value after completion of the work.

A further question arose in regard to issuing land use permits in the shoreland zoning district. At present, the Township does not issue land use permits in this zoning district. After discussion, it was determined that if the Township decides to change this policy, the Memorandum of Understanding between the Township and Stearns County would need to be amended to include issuance of permits in the shoreland zoning district.

At the request of Supervisor Wicker, Attorney Couri will provide an outline of procedures the County follows when implementing a subdivision.

Meeting concluded at 10:30 a.m.

Respectfully submitted,

Alice Robinson, Deputy Clerk