

Albany Township Planning Commission–June 12, 2012

The June 12, 2012 meeting of the Albany Planning Commission was called to order at 7:35 P.M. by Gary Bloch at the Albany City Hall Council Chambers. Members present, Gary Bloch, Mike Noll, Ryan Pratt, and Mary Rosen. Also present Clerk Diane Noll.

1 PLEDGE OF ALLEGIANCE. The Pledge of Allegiance was recited.

2 APPROVE AGENDA. Change the date from June 4 to June 12, A motion was made by Commissioner Noll, seconded by Commissioner Bloch, to approve the agenda as corrected, motion carried.

3. APPROVAL OF MINUTES–May 8, 2012 and June 4, 2012. Correction for the June 4 meeting, A motion to approve the May 8 minutes as reviewed, was made by Commissioner Bloch, seconded by Commissioner Noll, motion carried.

Recommend to change in the June 4 meeting minutes.

The drawing submitted will have the buildings at 47 feet from the center-line of the road.

Change to the following.

The drawing submitted has the addition where it joins the existing structure 47 feet from the center-line of the road angling away from the road continuously with the end of the addition 61 to 62 feet from the center of the road.

A motion to approve the minutes for June 4 as amended was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried.

4. Open Forum–

Welcome to Ryan Pratt new member on the Planning Commission.

5. Public Hearings–None

6. New Business–None

7. Old Business

a. Review Planning and Zoning Ordinance

Starting at Section 7 General Development Standards

7.1.3 Access to Township Roads–see Town Road Right of ways ordinance number 2009–02 (see appendix)

7.4. Cluster Development Standards

7.4.1 Purpose –change to the following, from our Ordinance No. 5:

The purpose of the cluster development standards is to provide a simplified development design technique that concentrates residential lots in a specific area on a site and allows an equivalent land area to remain in agricultural production or open space.

7.4.2 Applicability–(Request clarification of counties)

Change to 7.3.2 from our Ordinance No.5.

Residential cluster development as provided in Section 7.3 of this Ordinance shall be permitted as a conditional use in the A–160, A–80 and A–40 primary zoning districts provided that the standards set out in this Section 7.3 are met. Cluster development in all other zoning districts shall be prohibited.

7.4.3 Density Bonus–Repealed

7.4.4 Lot Area Requirements

Change to the following.

- A. All residential lots within a cluster development shall meet the following lot area requirements within the designated primary zoning or any applicable overlay district.

District

Lot Area

A-160, A-80, A-40

2.0 to 3.0 acres

- B. Lots created pursuant to *Section 7.3 of this Ordinance* after January 27, 2005 shall not be increased in size by means of an Administrative Subdivision or plat to exceed the maximum allowable lot area as specified in *Section 7.3.4 A of this Ordinance*.

7.4.7 Density Transfer–Contact county for clarification on Transfer of credits.

7.4.8 Cluster Development Review and Consideration–Clarification by County

7.4.9 –Cluster Development Siting Standards–Adopt County Ordinance

Except for C --ask county what their definition of non contiguous? In one township? allow development to cross township lines? split by property owners ?

7.4.10 Sewage Treatment and Drinking Water Systems–Adopt County

7.4.11 Cluster Development Review standards–Adopt County with the addition of Township before Planning Commission.

E–Compatibility with the LESA system and the resource Suitability Model as referred by the county.

ADD

7.4.12 Roads

All roads serving a cluster development must be built to Township road standards as prepared by the Township Engineer. All costs of road construction shall be the responsibility of the developer or property owner. For emergency accessibility, all cluster developments must have two exits/entrance roads, built to Township road standards.

7.4.13 Minimum setbacks

All residential dwellings must have a minimum setback of 200 feet from the property line of any agriculturally deed restricted land or any land in agricultural production that abuts the lot. No residential dwelling in a cluster development may be closer than 1,000 feet from a feedlot structure.

7.4.14 Deed Restriction on Non–cluster Areas

All acreage not platted as residential cluster lots, including all land from which density transfers were allowed or from which building entitlements used in the cluster development had belonged, shall be deed restricted by the developer and owner to prohibit the construction of a residential structure on such property until such time as a change in zoning occurs which specifically allocates additional building entitlements to such property. All such deed restrictions shall run in favor of the Township and shall be approved by the Township attorney prior to their recording at the Stearns County Recorder's Office.

7.4.15 Other Conditions

In addition to the requirements above, all applications for a conditional use permit under Section 7.3 must satisfy the following criteria.

- A. Only one accessory building is allowed per lot.
- B. The proposed cluster development with conditions conforms to the comprehensive land use plan.
- C. The proposed cluster development with conditions is compatible with the existing neighborhood.
- D. The proposed cluster development with conditions would not be

injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity.

- E. The proposed cluster development would not unduly interfere with established farming operations in the immediate area.
- F. The proposed cluster development would not significantly limit farming operations on the remaining, non-cluster land from which building entitlements are proposed to be transferred.
- G. Upon the granting of a conditional use permit under Section 7.3, the property owner must record a "right to farm" notice upon the property records of all residential lots notifying future owners that the residential lots are located in an area in which farming operations are conducted, including application of chemicals and manure, operation of tractors and other farm machinery at all hours of the day, strong smells, noise and use of the local roads by large farm implements.
- H. The Town Board may impose other reasonable conditions upon the proposed development.

July meeting we will start at chapter 7.5 Conservation Design Overlay, Agriculture

8. Reports–none

9. Communications

July 10–Planning Commission Meeting

August 14–Primary Election–no meeting scheduled

10. Adjournment

There being no further business to come before this meeting Commissioner Noll made a motion to adjourn, Commissioner Pratt seconded, motion carried.

Meeting adjourned at 10:15 P.M.

Respectfully Submitted,

Diane E Noll

Diane Noll, Township Clerk

Approved Minutes Signed: *Gary Bloch* July 10, 2012
Planning Commission Chair Date

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