

**ALBANY TOWNSHIP  
PLANNING COMMISSION  
Monthly Meeting-September 10, 2019**

The September 10, 2019 meeting of the Albany Planning Commission was called to order at 7:30 P.M. by Vice Chair Gary Bloch at Albany City Hall Council Chambers. Members present Gary Bloch, and Mike Noll. Also present, Zoning Administrator Jerry Forster, Supervisor Mary Rosen, and Clerk Diane Noll. Absent Joe Peternell

The Pledge of Allegiance was recited.

**APPROVAL OF AGENDA**

A motion to approve the agenda as presented was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried.

**APPROVAL OF MINUTES**

Correction on August 13 minutes page 2 old business Deny or request Albany Recycling change sign to signing; August 20 change test to text to minutes A motion to approve the minutes as corrected of August 13 and August 20, 2019, as presented was made by Commissioner Bloch, seconded by Commissioner Noll, motion carried.

**OPEN FORUM-None**

**PUBLIC HEARING-NONE**

**OLD BUSINESS**

**a. Review changes to zoning ordinance**

- 6.30 Junk and Salvage Operations-Accepted with Modifications November \_\_\_2019\_
- 7.223 Residential Dwelling Unit-*Adopted County June, 2017*
- 7.245 Sign Regulations-*Adopted County 2019*
- 7.278 Telecommunications Equipment, Towers, and Support Structures
- 7.323.2 Standards for Natural Resource Conservation Design Overlay

- 9.11 Industrial District- Repealed *Amended \_\_\_\_\_ 2019*

**6.30 Junk and Salvage Operations**

**6.30.2 Performance Standards**

New junk and salvage operations shall be subject to the administrative provisions of *Section 4.18 Interim Use Permits of this Ordinance*. Both new and existing junk and salvage operations shall be subject to the following performance standards:

- A. The facility shall be served by a minor collector or higher functional classification of roadway, except that the proposed use may be served by a

lesser functional class of roadway if the responsible road authority grants written permission for such use at the proposed location.

- B. The use shall comply with all applicable Federal, State, ~~and County,~~ and Township rules and regulations.
- C. Buildings, parking areas, loading areas and any exterior storage, including but not limited to, vehicles, hulks, salvaged materials, salvaged parts, waste materials, items for resale or items for disposal, shall meet the setback requirements of the applicable zoning district.
- D. Parking shall meet the requirements of *Section 7.19 of this Ordinance*.
- E. A transportation management plan shall be submitted (to County and Township) to address off-street parking, traffic circulation and the impact of the facility on surrounding roadways.
- F. No vehicles or vehicle parts may be placed within the public right-of-way or on public property.
- G. The facility shall be fenced and fully screened from adjacent land uses and public roadways in accordance with *Section 7.234 of this Ordinance*.
- H. Exterior storage of vehicles, hulks, salvaged materials, salvaged parts, waste materials, items for resale or items for disposal shall be limited to a maximum height of twelve (12) feet above grade provided that screening in accordance with *Section 7. 7.234 of this Ordinance* to a height of twelve (12) feet is also provided. Exterior Storage area shall be fenced with a 12 foot high solid fence, set back 20 feet from side and back property lines.
- I. The County shall be notified of any hazardous materials stored on site. Storage of hazardous materials shall comply with all local, state and federal requirements.
- J. An environmental management plan, including a storm water and drainage plan shall be submitted to address the impact of the facility on the environment.
- K. Any outdoor lighting system shall comply with the requirements of *Section 7.15 of this Ordinance*.
- L. The grounds and all structures shall be maintained in a clean and safe manner.
- ~~M. — Repealed One caretaker residence may be allowed. The residence is to be used strictly for the caretaker and his/her family members. The caretaker residence shall be accessed via the access road to the junk and salvage operation~~
- N. The salvage facility operator shall keep a written record of all vehicles received, date when received, date when fluids were removed and date when vehicles were removed from the facility. The record shall also include the Vehicle Identification Number (VIN) and manufacturer's name. Each record shall be initiated the day that the vehicle is received at the site.
- O. All fluids, including but not limited to motor oil, transmission and/or transfer case lubricants, differential lubricants, fuel, antifreeze, refrigerants and window washing fluids shall be removed from the vehicle, within three (3) days of receipt of the vehicle at the salvage facility.
- P. All lead acid batteries, mercury containing devices and other hazardous materials shall be removed from the vehicle, within three (3) days of receipt of the vehicle at the salvage facility.
- Q. Vehicles that are not to be used for salvage and are kept intact for resale, and recorded in the facility records for such purposes, are exempt from the

requirements of *Sections 6.30.2 N and O of this Ordinance*, for one hundred eighty (180) days of receipt of said vehicle.

- R. On-site disposal or burning of trash, refuse, garbage or other waste materials is prohibited. Salvage of materials by, fire, burning, explosives or chemical decomposition is prohibited.
- S. Owners of a vehicle salvage facility shall submit a written report to the Department and Township by March 1 of each year. The report shall include the number of vehicles stored onsite for salvage, vehicles stored onsite for resale, an inventory of fluids, lead acid batteries, refrigerants, mercury containing devices and other hazardous materials collected and how the materials collected were disposed of. A copy of the facility's written record for vehicles as required in *Section 6.30.2M of this Ordinance* shall be attached to the report.
- T. Junk yards and salvage operations shall be subject, as a minimum, to an annual inspection by the Department and Township, unless there are violations then more frequent inspection shall be done.
- U. Signs shall meet the requirements of *Section 7.245 of this Ordinance*.
- V. Holding or Staging Areas. Vehicles stored in holding or staging areas shall be exempt from *Sections 6.30.2 N. and O. of this Ordinance* for a period of ~~one hundred twenty (120) days~~ up to seven (7) days. The holding or staging area designated to temporarily store vehicles before processing shall not exceed storage for maximum of ~~eighty-five (85)~~ 6 (six) vehicles. The holding or staging area shall have an impervious surface constructed of concrete, bituminous surface or eight (8) inches of compacted Class 5 gravel. The area shall be curbed or diked to a minimum of six (6) inches above the impervious surface to prevent precipitation from running off the holding or staging area. As an option to curbing, the holding or staging area may be sloped so that all precipitation is directed to the center of the holding or staging area. The center of the area shall be a minimum of eight (8) inches lower in elevation than the lowest edge of the holding or staging area.

**W. Metal Shredders are prohibited.**

### 7.223 Residential Dwelling Unit-Adopt County ordinance as of July 5, 2017

**That Section 7.23.4 is hereby added to read as follows:**

A single family residential dwelling unit shall have a minimum of 840 square feet of livable space except as otherwise provided. Carports, garages, overhangs, and other similar structures shall not be considered as livable space. ~~All single family residential dwelling units shall have a minimum width of 20 feet and a minimum length of 20 feet.~~

### 7.245 Sign Regulations

That Section 7.245.2.A is hereby amended to read as follows:

That Section 7.245.3.E is hereby amended to read as follows:

### 7.278 Telecommunications Equipment, Towers, and Support Structures

That Section 7.278.2.J is hereby added to read as follows:

That Section 7.278.4.B(2) is hereby amended to read as follows:

7.278.4 Personal Wireless Service and Microwave Antennas

That section 7.278.4.C(3) is hereby added to read as follows:

7.323.2 Standards for Natural Resource Conservation Design Overlay-hereby repealed

I Industrial District ~~Shall be prohibited~~ Accepted, Adopted \_\_\_\_\_, 2019

## 9.11 Industrial District (I District)

~~That Section 9.11 Industrial District as presently enacted is hereby repealed.~~

That Section 9.11 of Stearns County Ordinance Number 439; is or successor ordinance, is hereby adopted by reference, except for the following:

### 9.11.1 Purpose

The intent of the Industrial District is to allow small scale industrial uses that require limited services that can be suitably located next to existing urban areas in the Township and at standards that will not impair the traffic carrying capabilities of abutting roads and highways.

The Industrial District implements the following Albany Township Comprehensive Plan goals:

- A. Future Land Use Map, Industrial Area. Medium intensity employment that does not demand a high level of wastewater treatment or water supply, in locations with adequate transportation capacity. Generally applies to existing developed areas.
- B. Manage the impacts of growth and development on the Township's rural character (Comprehensive Plan; Chapter 4).
  - (1) Discourage incompatible land uses through effective land use controls
  - (2) Identify appropriate areas for commercial, industrial, and non-farm rural residential developments.
- C through E-Repealed

### 9.11.2 Permitted Uses-Repealed

### 9.11.3 Provisional Uses-Repealed

### 9.11.4 Permitted Accessory Uses and Structures-Repealed

### 9.11.5 Conditional Uses-Repealed

### 9.11.6 Interim Uses

The following interim uses may be allowed in the Industrial District:

- A. Junk and Salvage Operations
- B. Solid Waste Transfer Facilities
- C. Recycling Center
- D. Light Manufacturing
- E All other uses permitted in Section 9.10 Commercial District of this ordinance.

**9.11.7 Lot Requirements**

For all uses within the Industrial District, the minimum lot size shall be sufficient to meet the applicable performance and general development standards of this Ordinance for the proposed use. Setback requirements of *Section 9.11.8 of this Ordinance*. Maximum lot size shall be 5 acres.

**9.11.8 Setback Requirements-Adopt Counties**

**9.11.9 Height Requirements-Adopt Counties**

**9.11.10 Lot Coverage-Adopt Counties**

**9.11.11 Relationship to Orderly Annexation Agreement-Adopt Counties**

**Review Approach Requests**

**4.13.b Township Driveway Access**

Accesses on any township road shall require a permit from the ~~Township Board of Supervisors~~ Zoning Administrator. This permit shall be issued prior to the issuance of any construction site permit, conditional use permit, interim use permit or provisional use permit when the proposed use involves the installation of a new or additional access onto a Township Road. The ~~Township Board of Supervisors~~ Zoning Administrator shall determine the appropriate location, size and design of such accesses and may limit the number of accesses in the interest of public safety and efficient traffic flow.

A motion to recommend approval to the township board the changes to Land Use and Zoning Ordinance Number 6 was made by Commissioner Bloch, seconded by Commissioner Noll, motion carried.

**Fee Schedule changes:**

New site-911 Sign		Increase price to cover installation
Request for change of text	\$400	Subject to additional legal fees
Request for special meeting	\$600	Subject to additional legal fees

A motion to recommend approval to the township board the changes to 2013-02 for increase of the permit fees was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried.

**NEW BUSINESS - None  
REPORTS**

**Administrator Forster-Building Permits**

Richard Klug, 20789 CY Road 154 Accessory Building

Josh Theisen, 20684 380 Street, Accessory building

Gordon Schwinghammer, 34892 238 Street -approach For Solar Garden

Al Molly, 38053 Hwy 238, Albany MN -Adding silo

**COMMUNICATIONS**

September 23-Board Meeting

October 1-Training at MAT Office

October 8-Monthly meeting and Public Hearing

**ADJOURNMENT**

A motion to adjourn was made by Commissioner Noll , seconded by Commissioner Bloch motion carried.

Meeting adjourned at 9:05 p.m.

Respectfully submitted,

*Diane E Noll*

Diane E Noll

Clerk/Treasurer

Approved: \_\_\_\_\_ *Joseph Peternell* \_\_\_\_\_ Date: October 8, 2019  
*Planning Commission Chair*