



# WHITE BEAR TOWNSHIP

1858  
RAMSEY COUNTY  
MINNESOTA

Board of Supervisors  
ROBERT J. KERMES, *Chair*  
ED M. PRUDHON  
STEVEN A. RUZEK

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750  
FAX 651-426-2258  
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## AGENDA TOWN BOARD MEETING SEPTEMBER 17, 2018

1. **7:00 p.m.** Call to Order at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.
2. Approval of Agenda (Additions/Deletions).
3. Approval of Payment of Bills.
4. Approval of Minutes of September 5, 2018 (Additions/Deletions).
5. **Consent Agenda:**
  - A. **Benson Airport Operation Plan** – Receive Annual Report.
  - B. **Vacation of Excess Right-of-Way – 5436 East Bald Eagle Boulevard** – Call Public Hearing for Monday, December 3, 2018 @ 7:00 p.m. @ Heritage Hall, 4200 Otter Lake Road.
  - C. **Special Town Board Meeting** – Call a Special Town Board Meeting for Tuesday, September 25, 2018 @ 3:00 at Heritage Hall, 4200 Otter Lake Road to Discuss Succession Planning.
  - D. **Administrative Driveway Variance** – In Accordance with Town Ordinance No. 35, Section 9-6.3(e) & Based on Staff Review & Recommendation & Approval, Ratify the Town Clerk's Issuance of an Administrative Driveway Variance at 2089 Stillwater Street.
  - E. **Resolution Accepting Township Day Donations** – In Accordance With State Statutes, Adopt Resolution Accepting Township Day Donations.
  - F. **BearScare Fun Run** – In Accordance with the Township's Special Events Policy, Approve the Joint Otter Lake Elementary/Lincoln Elementary Schools BearScare Fun Run on October 27, 2018, from 9:00 a.m. to 12:00 Noon from Hammond Road to Ninth Street via Otter Lake Road.
  - G. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the

### White Bear Township's

#### Mission:

To provide White Bear Township residents, businesses and visitors with reliable, high quality municipal services while serving as open and responsible stewards of the public trust.



recycled paper

Agenda  
Town Board Meeting  
September 17, 2018

- XcelEnergy Permit to Extend Gas Service for a Residence at 5530 Peterson Road Which Extension Will Require Directional Boring.
- H. **Right-of-Way Permit** - Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the XcelEnergy Permit to Replace Cable Service for a Residence at 5409 Brittany Court Which Will Require Directional Boring.
  - I. **Construction Activity Report** – Receive.
6. **Old Business:** None.
7. **Public Hearings:**
- A. **5605 Hugo Road** – Right-of-Way Setback Variance Request To Allow Garage Construction.
  - B. **5966 Highway 61** – Zoning Ordinance Amendments & Conditional Use Permit Request to Allow a Maker Space.
8. **New Business:**

**Town Engineer Items:**

- A. **Improvement 2016-2 – SE Area Sewer Relining** – Approve Final Payment.
- B. **Stillwater Street Storm Improvements** – Receive & Award Quote.
- C. **White Bear Township Pavement Management Program** – Authorize Preparation.
- D. **Annual Storm Sewer System Inspection** – Authorize Inspections.
- E. **SE Area Street Improvements** – Authorize Survey & Testing of Area.

**Public Works Director Item:**

- F. **Bellaire Beach House Interior & Exterior Painting** – Receive & Award Quote.

**Finance Officer Item:**

**White Bear Township's**

**Mission:**

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Agenda  
Town Board Meeting  
September 17, 2018

- G. **2019 Preliminary Tax Levy** – Resolution Reducing Tax Levy Pursuant to Minnesota Statutes, Section 475.61.

**General Business:**

**Utility Commission Recommendation:**

- H. **2019 Utility Rates** – Approve.

**Planning Commission Recommendation:**

- I. **Comprehensive Plan PUD Densities** – Approve PUD Densities.

**Public Safety Commission Recommendation:**

- J. **Annual Commission Tour** – Possibly Joint With Town Board.

- 9. **Added Agenda Items.**
- 10. **Open Time.**
- 11. **Receipt of Agenda Materials & Supplements.**
- 12. **Adjournment.**

**White Bear Township's**

**Mission:**

To provide White Bear Township residents, businesses and visitors with reliable, high quality municipal services while serving as open and responsible stewards of the public trust.



## Town Board Meeting September 17, 2018

**Agenda Number:** 1 - 2 - 3 - 4

**Subject:** Call to Order – 7:00 p.m.  
Heritage Hall, 4200 Otter Lake Road

Approval of September 17, 2018 Agenda  
Approval of Payment of Bills

Approval of Minutes of September 5, 2018 Town Board Meeting

**Documentation:** September 17, 2018 Agenda  
September 5, 2018 Town Board Minutes

### Action / Motion for Consideration:

Call meeting to order:	7:00 p.m.
Approval of Agenda:	September 17, 2018 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	September 5, 2018 Town Board Minutes

**MINUTES  
TOWN BOARD MEETING  
SEPTEMBER 5, 2018**

The meeting was called to order at 7:00 p.m.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Attorney: Lemmons; Planner: Riedesel; Engineer: Poppler.

**APPROVAL OF AGENDA (Additions/Deletions):** Prudhon moved approval of the agenda with the following amendment: 9A) Call Attorney-Client Closed Session at the end of the regular meeting agenda. Ruzek seconded. Ayes all.

**APPROVAL OF PAYMENT OF BILLS:** Prudhon moved to approve payment of bills. Ruzek seconded. Ayes all.

**APPROVAL OF MINUTES OF AUGUST 20, 2018 (Additions/Deletions):** Ruzek moved approval of the Minutes of August 20, 2018. Prudhon seconded. Ayes all.

**CONSENT AGENDA:** Ruzek moved approval of the Consent Agenda as follows: 5A) Call Public Hearing for Monday, October 1, 2018 at 7:00 p.m. to Consider the Request for a Zoning Ordinance Amendment & Conditional Use Permit to Allow Outdoor Advertising Signs; 5B) 1) Approve Joint Powers Agreement Between the Town of White Bear and the City of White Bear Lake; and 2) Adopt Resolution Providing for Hearing on Assessments for Improvement 2018-3 Noting that the Public Hearing Will be Held on Monday, October 15, 2018 at 7:00 p.m.; 5C) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve the Connexus Energy Permit to Install Electrical Service to the Three Oaks of White Bear Township Development With All work to be Performed in the Right-of-Way, and Street Crossings Are Planned to Use Conduits Installed Prior to the Road Construction Activity and is a Joint Trench with Other Private Utilities. Prudhon seconded. Ayes all.

**OLD BUSINESS:** There were no Old Business Items.

**4843 WHITE BEAR PARKWAY – ZONING ORDINANCE AMENDMENTS AND CONDITIONAL USE PERMIT REQUEST TO ALLOW CAMP BOW WOW:** The Public Hearing was held at 7:03 p.m. Prudhon moved to waive the reading of Public Notice noting the proper publication was made. Ruzek seconded. Ayes all. Prudhon moved to open the Public Hearing. Ruzek seconded. Ayes all.

Jeff and Diana Hall are requesting Town approval to locate their business, Camp Bow Wow, which is a national franchise, in White Bear Township. The Halls currently own a Camp Bow Wow in Burnsville. They would like to locate the business in the westerly most portion of the building at 4843 White Bear Parkway. This light industrial building currently houses Valid on the east end and is vacant at the west end. Camp Bow Wow is a daycare and overnight boarding facility for dogs. Training, grooming and retail sales of pet supplies would also be available. Staff is on site from 7:00 a.m. – 7:00 p.m. The majority of the facilities are indoors. However, 1,960 square feet of fenced outside play area is planned on the west side of the building. The outside play area would be screened with opaque fencing. The north side of the building has railroad tracks and Polar Lakes Park, the west side is the freeway. South of the building is Comstock and Nextern businesses. On the east side is the parking lot and CRS Exchange to the east. The

**MINUTES  
TOWN BOARD MEETING  
SEPTEMBER 5, 2018**

use is not listed in the I-1 Zoning District so an amendment to the Zoning Ordinance adding pet daycare and boarding as a Conditional Use in the I-1 Zoning District would need to be approved. The Planning Commission reviewed the request and recommends approval of adding pet boarding as a Conditional Use in the I-1 Zoning District. The Planning Commission also recommends approval of a Conditional Use Permit with the addition of the eight conditions. Those conditions are: 1) 24/7 monitored fire sprinkler system throughout the entire building; 2) 24/7 monitored temperature controls with notifications if the temperature falls below 64 or rises Above 78 degrees; 3) Monitored internal motion detector and intrusion protection for security; 4) approximately 20 high-speed video cameras accessible via smart phone and/or internet; 5) Camp counselors certified in pet safety and CPR; 6) Campers (dogs) are screened for aggressive behavior before being allowed access to Camp. They must also be fixed if over 6 months and be up to date on vaccinations; 7) Separate dogs in the play areas by size and temperament; 8) Adhere to a 1 to 15 Camp Counselor to dog ratio and all dogs are supervised during play. At night they sleep in secure individual cabins with a comfy cot, fleece blanket, water and any toys or comforts from home. Family members can share cabins for a discount, or each can have their own cabin at the owner's request.

There was discussion regarding "pet" or "dog" daycare. The Planner explained that "pet daycare" was the definition recommended. Prudhon asked about the 1-15 counselors to dog ratio. He stated that the brochure states 1 staff per 25 dogs.

Jeff Hall stated that monitoring is provided by a service provider for security purposes. They have 24/7 year round service monitoring all alarms. If an alarm goes off they notify police and fire, if appropriate. If it is a temperature alarm the Halls would be notified. Relating to the seeming discrepancy regarding how many staff per dogs, there is one staff per 25 dogs in the play yard. In the building it is one staff per 15 dogs. In response relative to how many employees are present during the business hours, Mr. Hall stated that there are about 4-6 employees at any given time. They have about 20 employees overall. Diana Hall stated that they track reservations and the number of staff fluctuates with the number of reservations. There are 120 cabins plus daycare. At that point they would have about 10 employees. Their current facility has about 55 dogs per day. In response to a question regarding where the play area would be, Diana Hall stated that the play yard is to the west of the building. They still need to work out the exact dimensions with their land lord and corporate office. They need to be sure that there is enough room for the semi-trucks to circle the building to do their business In response to a question relative to how much time would lapse after an alarm is sounded before someone gets to the site, Diana Hall stated that the alarm is instantaneous so the alarm company would be notified immediately. Their response goes directly to the police or fire, so it would be whatever their response would be. In response to a question regarding the 8 foot fence, the Planner stated that the height of the fence has not been brought up. Jeff Hall stated that it is an opaque fence and it is corporate mandate that the fence be 8 feet in height. The Town Attorney stated the height could be part of the conditions of the Conditional Use Permit. Ruzek noted that the applicants need to be aware of occasions when there are fireworks. Jeff Hall stated that on Township Day and Fourth of July they would have a person present at the Camp. It was the consensus that the Town notifies Camp Bow Wow of any event when there would be fireworks in Polar Lakes Park.

**MINUTES  
TOWN BOARD MEETING  
SEPTEMBER 5, 2018**

Prudhon moved to open the public comment portion of the Public Hearing. Ruzek seconded. Ayes all. There was no public comment. Prudhon moved to close the public comment portion of the Public Hearing. Ruzek seconded. Ayes all.

Ruzek moved, based on Planning Commission and Staff review and recommendation to adopt the amendment to Ordinance No. 35, Section 3 – Definitions, which adds Section 3-55.A – Pet Daycare & Boarding Facility to the list of definitions. Prudhon seconded. Ayes all.

Ruzek moved, based on Planning Commission and Staff review and recommendation to adopt the amendment to Ordinance No. 35, Section 6-5 – Conditional Uses which adds No. (11) Pet Daycare & Boarding Facility to the list of Conditional Uses in the I-1 Zoning District. Prudhon seconded. Ayes all.

Ruzek moved to approve the Conditional Use Permit / Zoning Certificate subject to the requirements listed on page 43 of the meeting packet and adding item #16) an 8 foot opaque fence surrounding the outdoor play yard; and #17) on-site staffing whenever there are fireworks or noisy events planned at Polar Lakes Park with notification by the Township. Prudhon seconded. Ayes all.

**CHRIS HAWLEY, 2363 TAYLOR AVENUE – REQUEST FOR ADDITIONAL DRIVEWAY:** The Planner provided an overhead showing the location of the property. He reported that Mr. Hawley is requesting approval to construct a new driveway and parking area at his home at 2363 Taylor Avenue. The Hawley property currently has an access to the attached garage and second access to a detached garage off of Shadyside Lane. The Hawley property fronts on Taylor Avenue and also on Shadyside Lane. The home now faces Taylor. The new driveway is proposed to connect to Taylor Avenue which is Ramsey County Road. The County will approve a permit for the proposed driveway. The existing driveway accesses Shadyside Lane which is a narrow “alleyway” serving seven properties including the Hawley’s. Mr. Hawley would like to provide the Taylor Avenue driveway and parking area for guests. Section 5-29.L of Ordinance No. 8 permits one driveway access per property. A permit for an additional driveway may be approved by the Town however. There are five considerations for Town Board review prior to issuing a permit for an additional driveway. Those considerations include: 1) Denial of an additional driveway permit which would cause undue hardship because of circumstances unique to the individual property; 2) Granting the additional driveway only after it is demonstrated that such actions will be in keeping with the spirit and intent of the Ordinance; 3) Undue hardship means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the property owner is due to circumstances unique to the property and not created by the property owner, and the additional driveway would not alter the essential character of the locality; 4) Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance; 5) That the property owner provide an engineering/traffic study acceptable to the Town to demonstrate support that there is no issue of public health, safety or welfare with the granting of an additional driveway.

According to the 2014 Ramsey County ADT Map, this section of Taylor Avenue sees 350 vehicle trips per day. No additional study was requested by the Town from Mr. Hawley.

MINUTES  
TOWN BOARD MEETING  
SEPTEMBER 5, 2018

In response to a question if the additional driveway will cause a violation of the green area requirements, the Planner stated that there is no problem. Amy Hawley, 2363 Taylor Avenue stated that the impervious space on the property is at 18% and with the driveway will be at 22%. She stated that when people come to visit there is no driveway off Taylor which causes a problem for them to know where to go. Shadyside Lane is a one way, one car area. With the driveway off Taylor it will provide better access to their home. In response to a question if they would have signage, Amy Hawley stated that they will place their mailbox on Taylor and people will be able to clearly see their house number.

Prudhon moved, based on Staff review and recommendation to approve the construction of an additional driveway at 2363 Taylor Avenue. Ruzek seconded. Ayes all.

**PAVEMENT MANAGEMENT PLAN:** Larry Poppler, TKDA provided a slide presentation on Township streets. He reviewed the reasons a street deteriorates: 1) drainage; soil conditions beneath the street; original street section; traffic volumes and loading; time; weather – freeze/thaw; utility impacts / patches. He reviewed the parameters for pavement conditions based on pavement age. He noted that the reason for performing pavement management is for the following reasons: 1) it is the best value to taxpayers over the long run; 2) it balances expenditures; 3) it preserves property values; 4) and it does not push obligations to future generations. He presented a cost comparison over 60 years for traditional life-cycle which is reconstruction as opposed to optimal life-cycle which includes 2 seal coats and an overlay followed by 2 more seal coats and overlay and finally a reconstruct. The difference between the traditional life-cycle and the optimal life-cycle results in a difference of \$660,633.6 which is a 32% difference in cost using the optimal life-cycle maintenance activity. Reasons for concrete curb and gutter include: 1) assists in drainage and water quality; 2) reduces edge failure; 3) improves safety because it defines the street; 4) reduces plow damage to yards or pavement edge; 5) street sweeping edge; mowing edge advantage; concrete is rigid, bituminous is flexible and subject to damage during summer temperatures; and 8) because of aesthetics and improve property values. **Street Inspection and Ratings:** Township staff has rated streets on a 0-5 scale. Average street rating should be 3.5 or higher. Streets below 2.2 rating should be considered for reconstruction. The Township has approximately 36 miles of streets. The 2011 reconstruction project completed 4.25 miles. Approximately 40% of Town streets have curb and gutter. There are approximately 5.7 miles of streets below a 2.2 rating.

Funding options for street improvements are provided by assessments, tax levy (improvement levy), stormwater funding (storm sewer for curb), street improvement districts, franchise fees, local road improvement program (local roads of regional significance). For reconstruction the Township assesses 100%; and other communities as low as 30% – 50%. Assessment amounts for the 2011 White Bear Township road project was \$4,358; Prior Lake experience had \$8,000-\$10,000; State Statute requires the assessments to be no more than the “benefit” received by the improvement.

To prepare citizens a Public Communication Plan is advised to present general information; mapping of future reconstruction area; brochure to property owners on upcoming projects; website updates; and neighborhood meetings ahead of any project. A summary for road

**MINUTES  
TOWN BOARD MEETING  
SEPTEMBER 5, 2018**

improvement is to have the right improvement at the right time; priority 1 should be perform crack sealing, seal coating, and mill and overlay; priority 2 is to develop a program for average of 0.7 miles of reconstruction per year (36 miles / 50 years).

The recommended next steps is for a street network research on White Bear Township streets; verify costs for future improvements; project grouping recommendations; prepare funding plan for future; reconstruction based on grouping; prepare communication plan and an optional step to re-rate streets.

Phil Carpentier, 2697 Arbor Drive, stated that his whole area is a mess. He stated that he thought his road would be done next year. Kermes noted that that there is activity that is overdue and that road improvement is close to the top of the list.

Dick Fisher, 2688 Arbor Drive, stated that he would like to see things get started. He stated that, from his perspective it would be better to consider all 36 miles of Town road and set up a schedule for reconstruction over time, taking the worst roads first, rather than piecemealing it in. He stated that they do not have curbs and there is grass growing in the street. He encouraged that the total road system in White Bear Township be looked at. He suggested that there be a road fund so that when the work is done the money will be there.

**5513 & 5515 WEST BALD EAGLE BOULEVARD – APPROVE MINOR SUBDIVISION & TWO**

**LOT WIDTH VARIANCES:** The Planner reported that the Visser's are requesting approval of a minor subdivision which would allow them to split their property into two parcels. The Visser's purchased the home at 5513 & 5515 West Bald Eagle Boulevard several years ago along with their son and daughter-in-law. Ken and Deborah have been living at 5515 West Bald Eagle Boulevard. Their son Travis and Tatyana live in the home at 5513. The property consists of two homes and related garages. It also has a lakeside parcel. The overall size of the property is 28,203 square feet. The lot width is 96.73'. The Visser's are proposing to split the property into Parcel A which is proposed to be 47.22' wide and 170.3' deep and includes a lakeshore parcel 46.77' wide by 78.44' deep. The square footage of these lots is proposed to be 11,470 square feet in area. Parcel B is proposed to be 49.51' wide and 210' deep and wrapping around the back portion of Ken and Deborah's lot. A 34' x 77.28' lakeshore lot is included with Parcel B. The overall size of Parcel B is proposed to be 16,733 square feet in area. The Town's minimum lot size requirements are 80' of frontage and 12,000 square feet in area. The following variances must be approved to grant the request: 1) Parcel A: a 32.78' lot width variance and a 530 square foot lot size variance. Parcel B: a 30.49' lot width variance. In order to avoid multiple variance requests, staff has requested Ken Visser consider adding approximately 12 additional feet to the rear of their lot (Parcel A). Adding this square footage would eliminate the need for a lot square footage variance. Staff met with Mr. Visser on August 21, 2018 and he is working with his survey to add the additional square footage to the rear of Parcel A, making the proposed lot greater than 12,000 square feet in area. With this plan modification, only the lot width variances must be approved along with a minor subdivision.

At one time the garage at 5513 was owned or leased by the property owner of Bald Eagle Island. With the sale of the island, the ownership of the garage went to the Visser's. Parcel B has 2 existing garages. The back garage has a door which faces west. It appears that access to the

**MINUTES  
TOWN BOARD MEETING  
SEPTEMBER 5, 2018**

back garage is from the northerly proposed Parcel A. Parcel B is proposed to be 16,733 square feet in area. Staff recommends adding approximately 12' to the back of Parcel A in order to create a 12,000 square foot lot. Doing this will reduce Parcel B approximately 560 square feet making Parcel B approximately 16,173 square feet in area.

Staff recommends approval of the minor subdivision subject to the following requirements: 1) Add 11.33' feet to the rear of Parcel A which would create a new lot 12,000 square feet in area; 2) approve 32.78' lot width variance for Parcel A; and 3) Approve a 30.49' lot width variance for Parcel B.

The Variance Board reviewed the subdivision proposal specifically for the variances and recommends approval with the lot line rearrangement in the back. The Planning Commission also recommends approval of the minor subdivision with the variances as proposed.

Ruzek asked if the subdivision would become two separate parcels and separately deeded. The Town Attorney stated that the applicants would have to quit claim amongst themselves. Once the minor subdivision is approved the property owners can do that themselves. It would be easier to create tax parcels by doing quit claims to create the two tax parcels. Otherwise the subdivision would have to go to the County to create two tax parcels. The deeds would have to be stamped by the Township and should be done by the end of the year. Prudhon asked if this subdivision would require 10' drainage easements around the new line. The Planner stated that dedication of drainage utility easements are a requirement with a subdivision.

The Planner explained the purpose of a 10' drainage and utility easement to Ken Visser. Ken Visser asked where the 10' easement would be on his lot. The Planner explained that the easement on Ken Visser's lot would be 10' from the lot line going down, but would not go through any structure, but around them. Ken Visser asked about the new lot for his son. The Planner stated that would be ten feet on either side of the lot line. Ken Visser asked if his driveway could be disturbed with the easement. The Planner stated that if necessary it could be done. The Town Attorney stated that the purpose of a drainage and utility easement is for the Town to do what is necessary to address a problem, but only if it is only necessary. With pre-existing homes the easement would go around the homes. Ken Visser asked if the setback would be affected if a small addition would be added to the small house. The Planner stated that it should be 10' from the property line whether there is an easement there or not. Ken Visser stated that at one point there were two lots there and then they were joined. He explained that the previous owner of the island wanted a space to store his hovercraft in the summer months and built a small structure. He had to use the driveway to get the hovercraft across Bald Eagle Boulevard and onto the water side. They bought the home nine years ago after living in Florida for 20 years. Now, with the two lots they thought that if their son and his wife could live on one of the lots they could watch the senior Visser's house if they go to Florida. He stated that he had conversations with staff and was told that it would be good to bring the lots back to original status. He stated that there are separate utility services to the smaller house. He stated that they have had no drainage problems on the property. There is a marsh behind them and Ramsey County open space on the north side.

MINUTES  
TOWN BOARD MEETING  
SEPTEMBER 5, 2018

It was the consensus that staff work with the applicant relative to the easements. The Town Attorney noted that there is a 60 day rule involved because it is a zoning issue. He explained that under statute the Township has to act within 60 days from the date that the complete application is accepted. If the Township does not act within 60 days the request is automatically approved. An exception is if the applicant waives, in writing, the 60 day rule. The applicant stated that he agrees waiving the 60 day rule and will provide agreement in writing but stated that he can have the necessary information for the October 1, 2018 Town Board meeting, which would be within the 60 day rule. The matter will be placed on the agenda for the October 1, 2018 Town Board meeting.

The meeting recessed at 8:26 p.m. to go into Attorney-Client Closed Session.

**ATTORNEY-CLIENT CLOSED SESSION:** Ruzek moved to go into Attorney-Client Closed Session at 8:26 p.m. Prudhon seconded. Ayes all.

The Town Attorney reported that the purpose of the Closed Session was to discuss 1) the litigation between the White Bear Lake Homeowner's Association vs the DNR; and 2) the interest due relative to the lawsuit Stoddard's vs. White Bear Township.

Ruzek moved to adjourn the Attorney-Client Closed Session at 8:55 p.m. Prudhon seconded. Ayes all.

**OPEN TIME:** Ruzek reminded the viewing audience of the Township Day event to be held on Saturday, September 8<sup>th</sup>. Two bands will provide entertainment; there will be games for kids; demos; food vendors; community performances; and fireworks.

**RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS:** Ruzek moved to receive all of the agenda materials and supplements for tonight's meeting. Prudhon seconded. Ayes all.

Prudhon moved to adjourn the meeting at 8:56 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

William F. Short  
Clerk-Treasurer

Approved as Official Meeting Minutes

\_\_\_\_\_  
Town Board Supervisor

\_\_\_\_\_  
Date



**Town Board Meeting  
September 17, 2018**

**Agenda Number: 5A – Consent Agenda**

**Subject: Benson Airport Operation Plan – Receive Annual Report**

**Documentation: Report Not Available at Time of Printing**

**Action / Motion for Consideration:**

Receive Information

Receive Benson Airport Annual Report

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Minutes  
Town Board Meeting  
October 2, 2017

**CONSENT AGENDA:** Prudhon moved approval of the Consent Agenda as follows: 5G) Receive Annual Benson Airport Operation Plan. Kermes seconded. Ayes all.



**Town Board Meeting  
September 17, 2018**

**Agenda Number: 5B – Consent Agenda**

**Subject: Vacation of Excess Right-of-Way – 5436 East Bald Eagle Boulevard – Call Public Hearing for Monday, December 3, 2018 @ 7:00 p.m. @ Heritage Hall, 4200 Otter Lake Road**

**Documentation: Public Notice /  
Petition to Vacate**

**Action / Motion for Consideration:**

Receive Information / Discuss

Call Public Hearing for Monday, December 3, 2018 @ 7:00 p.m. @ Heritage Hall, 4200 Otter Lake Road to Vacate Excess Right-of-Way @ 5436 East Bald Eagle Boulevard



## Public Notice

### NOTICE OF HEARING TO VACATE EXCESS RIGHT-OF-WAY IN THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA

**Notice is Hereby Given,** That the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, December 3, 2018 @ 7:00 p.m., to consider a petition of a majority of the owners of affected property to vacate excess right-of-way in the Town of White Bear, which affects the following property:

5436 East Bald Eagle Boulevard

and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto, pursuant to Minnesota Statutes, Section 368.01, Subd. 25.

Given under my hand this 17<sup>th</sup> day of September, 2018.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

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WILLIAM F. SHORT, Clerk-Treasurer

PETITION TO VACATE PARTS OF  
BALD EAGLE BOULEVARD EAST,  
WHITE BEAR TOWNSHIP

To: **White Bear Township, 1281 Hammond Road, White Bear Township,  
Minnesota 55110**

David L. Klein and Jodelle K. Klein, residing in and owning property in White Bear Township, Minnesota addressed at:

5436 Bald Eagle Boulevard East  
White Bear Township, Minnesota, 55110;

and legally described on the attached Exhibit A, hereby petitions for the vacation of excess and unneeded road right-of-way as fully described on the attached Exhibit B.

In Witness Whereof, the undersigned has set their hands this 29 day of August, 2018.

David L. Klein  
David L. Klein

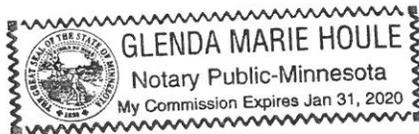
Jodelle K. Klein  
Jodelle K. Klein

Additional township voters/residents signing on the attached Exhibit C join in this petition.

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF RAMSEY    )

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of August, 2018 by David L. Klein.

Glenda Marie Houle  
Notary Public



STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF RAMSEY )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of August,  
2018 by Jodelle K. Klein.

Glenda Marie Houle

Notary Public

This Petition was Prepared by:  
Edward L. Pardee, PA  
Attorneys at Law  
4856 Banning Avenue  
White Bear Lake, MN 55110  
Telephone: 651-429-2063

Z:\Realesta\Vacating Roadways\KleinPetition8-23-18.wpd



**Exhibit A**  
**David L. Klein and**  
**Jodelle K. Klein**

That part of Lots 1 and 2, Block 1, Town of Bald Eagle, described as follows: Commencing at the Southerly corner of said Lot 1; thence Westerly at an angle of 95 degrees 09 1/2' a distance of 35.83 feet to a point; thence Northwesterly a distance of 186.6 feet to a point on the Northerly line of said Lot 1 situated 102.6 feet from the Northeast corner of said Lot 1; thence along the Northerly line of said Lot 1 to the Northeast corner thereof; thence South along the Easterly line of said Lot 1 distance of 221.6 feet to the place of beginning.

Together with all that strip or tract of land lying along the shore of Bald Eagle Lake between said lake and said Lot 1, being the tract of land lying between the Southwesterly line of said Lot 1 extended due North to the shore of Bald Eagle Lake and the Easterly line of said Lot 1 extended to the shore of Bald Eagle Lake.

Also the Westerly 1/2 of Mackey Ave., sometimes called Eagle St. adjoining said Lot 1 and extending to the shore of Bald Eagle Lake, together with all riparian rights of every kind and description appurtenant to said premises, except the following:

Beginning at an iron monument at the Southerly corner of Lot 1, Block 1, Town of Bald Eagle; thence North along the East line of said Lot 1, 12.05 feet to a point; thence Southwesterly at an angle of 95 degrees 09 1/2' with said East line of said Lot 1 distance of 39.52 feet to a point; thence Southeasterly a distance of 12.28 feet to a point 35.83 feet Westerly from the point of beginning; thence East 35.83 feet to the place of beginning.

Subject to: The conveyance of Eagle Street, sometimes called Mackey Avenue, and any riparian rights accessory thereto, shall be subject to the public rights in the platted street. The riparian rights being conveyed are subject to Bald Eagle Blvd. East as shown on the Plat of the Town of Bald Eagle.

together with all hereditaments and appurtenances belonging thereto.

**Exhibit B**

David L. Klein and Jodelle K. Klein  
5436 Bald Eagle Blvd. East

**VACATION  
OF  
EXCESS RIGHT-OF-WAY  
OF BALD EAGLE BOULEVARD**

That part of Bald Eagle Boulevard East, formerly platted as Lake Avenue in Wharton, Blair and Miller's Rearrangement of Block 1, Bald Eagle, and Town of Bald Eagle, outside of a 66 foot strip of land retained for road purposes, the centerline of which is described as follows:

Commencing at the South Quarter corner of Section 11, Township 30 North, Range 22 West, Ramsey County, Minnesota; thence northerly along the north and south quarter line of said Section 11, having a assumed bearing of North 0 degrees 06 minutes 39 seconds West for 2058.26 feet to the point of beginning; thence North 68 degrees 29 minutes 42 seconds East for 53.69 feet to a tangential curve; thence northeasterly along said curve concave to the northwest, having a radius of 26983.28 feet, delta angle of 0 degrees 47 minutes 26 seconds for 372.31 feet; thence North 67 degrees 42 minutes 16 seconds East for 0.30 feet; thence North 66 degrees 40 minutes 47 seconds East for 95.90 feet; thence North 64 degrees 23 minutes 05 seconds East for 699.82 feet; thence North 34 degrees 43 minutes 42 seconds East for 132.15 feet; thence North 20 degrees 42 minutes 50 seconds East for 504.26 feet; thence North 29 degrees 18 minutes 47 seconds East for 414.33 feet; thence North 42 degrees 50 minutes 14 seconds East for 252.50 feet, thence North 37 degrees 40 minutes 41 seconds East for 223.22 feet; thence North 25 degrees 16 minutes 54 seconds East for 326.56 feet; thence North 32 degrees 22 minutes 25 seconds East for 195.98 feet; thence North 39 degrees 51 minutes 45 seconds East for 129.47 feet; thence North 59 degrees 36 minutes 00 seconds East for 197.17 feet; thence North 71 degrees 46 minutes 46 seconds East for 244.08 feet; thence North 58 degrees 27 minutes 53 seconds East for 170.97 feet through a point on the east line of said Section 11 said point being 1957.39 feet northerly of the East Quarter corner of said Section 11; thence North 51 degrees 29 minutes 14 seconds East for 873 feet more or less, to the northwesterly extension of *the southwesterly* line of Lot 8, Block 1, *Shady Side Addition* and there terminating.

Except that part vacated in District Court Order File No. 472268; except that part lying southerly of said 66 foot strip adjoining Blocks 10 and 11, Town of Bald Eagle and vacated Oak Street.

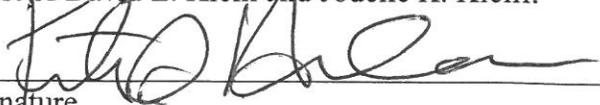
And which lies between the Southwesterly line of Lot 1, extended due North to the shore of Bald Eagle Lake, and the Easterly line of the Westerly one half of Eagle Street, extended to the shore of Bald Eagle Lake, all in Block 1, Town of Bald Eagle.

**Exhibit C**

**David L. Klein and Jodelle K. Klein**

5436 Bald Eagle Blvd East

The undersigned residents and voters in White Bear Township join in the attached Petition to Vacate Parts of Bald Eagle Boulevard East of David L. Klein and Jodelle K. Klein.

  
Signature

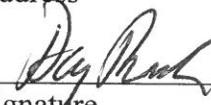
Ken Anderson  
Printed Name

5438 E. Bald Eagle Blvd, WBT  
Address

  
Signature

Keely C. Huberty  
Printed Name

5464 E. Bald Eagle Blvd. WBT  
Address

  
Signature

Doug Prusch  
Printed Name

5474 Bald Eagle Blvd E.  
Address

  
Signature

EDWARD L. PARACE  
Printed Name

5496 E. BALD EAGLE BLVD, WBT.  
Address

Evelyn Duvall  
Signature

Evelyn Duvall  
Printed Name

5372 Bald Eagle Blvd E  
Address

James Coomes  
Signature

James Coomes  
Printed Name

5271 W. Bald Eagle Blvd  
Address

James Senesac  
Signature

JAMES SENESAC  
Printed Name

5500 E. BALD EAGLE BLVD  
Address  
WHITE BEAR LAKE MN.





## **Public Notice**

### **Special Town Board Meeting**

**Tuesday, September 25, 2018**

**Beginning at 3:00 p.m.**

**at Heritage Hall  
4200 Otter Lake Road  
White Bear Township MN 55110**

- ◆ Succession Planning Discussion



**Town Board Meeting  
September 17, 2018**

**Agenda Number: 5D – Consent Agenda**

**Subject: Administrative Driveway Variance** – In Accordance with Town Ordinance No. 35, Section 9-6.3(e) & Based on Staff Review & Recommendation & Approval, Ratify the Town Clerk’s Issuance of an Administrative Driveway Variance at 2089 Stillwater Street

**Documentation:** Administrative Variance Driveway Replacement Application w/ attachments

**Action / Motion for Consideration:**

Receive Information / Discuss

In Accordance with Town Ordinance No. 35, Section 9-6.3(e) & Based on Staff Review & Recommendation & Approval, Ratify the Town Clerk’s Issuance of an Administrative Driveway Variance at 2089 Stillwater Street



Have in by  
Sept. 12<sup>th</sup>!

## ADMINISTRATIVE VARIANCE DRIVEWAY REPLACEMENT APPLICATION

### Introduction

In accordance with Section 9-6.3(e).(3) of Ordinance No. 35, the Town Board has authorized the Town Clerk to administratively approve or deny variances for the replacement or resurfacing of existing paved driveways in "R-1" Suburban Residential and "R-2" Urban Residential zones. The driveway shall have a legal non-conforming side yard setback existing at the effective date of this Ordinance or have previously been granted a variance by the Town Board. The applicant shall provide a statement signed by affected property owner(s), recording their approval of the requested action. Affected property owners are defined as those having a recorded legal or equitable ownership interest in property adjacent to the property to which the action relates. All variances shall be ratified by the Town Board. Upon a denial by the Town Clerk, the applicant may proceed with review of their variance request pursuant to the public hearing or public information meeting process.

APPLICANT(S) Asphalt Restraints PHONE (Home) 651-307-5777  
Co. Inc. (Business) \_\_\_\_\_  
(Cell) \_\_\_\_\_

ADDRESS ~~2089 Stillwater St.~~  
P.O. 401 Hugo, MN 55038

PROPERTY OWNER Kathy Johnson 651-235-5557

ADDRESS OF SITE 2089 Stillwater St.

<u>Setbacks:</u>	<u>Required:</u>	<u>Existing:</u>	<u>Requested:</u>
Side Yard	<u>10'</u>	<u>2'</u>	<u>2'</u>
Front Yard	_____	_____	_____
Rear Yard	_____	_____	_____
Other (specify)	_____	_____	_____

<u>To Be Completed By Office:</u>	
Date Request Received <u>9-11-18</u>	REVIEWED FOR CODE COMPLIANCE SUBJECT TO FIELD INSPECTION
By <u>[Signature]</u> (Staff Member)	APPROVED <u>[Signature]</u> DATE <u>9-11-18</u>
Date Application Complete <u>9-11-18</u>	

**STATEMENT OF AFFECTED  
PROPERTY OWNERS**

If a signed statement is not provided by the applicant for an administrative driveway variance, the Town Clerk will be unable to review the request, and such request will be denied.

I am the owner of the property at 2089 Stillwater St.. I am requesting that the Town Clerk grant me an administrative driveway variance for the following purpose:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My request will be reviewed by the Town Clerk. I must provide the Town Clerk with a statement signed by the affected property owner(s) abutting the side in which the variance is being requested, and recording their approval of the requested action. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS

1. Name: Paylo Solntsev Address: 2081 Stillwater St.  
Viktoriya Solntseva Phone: (Home) \_\_\_\_\_  
(Bus.) \_\_\_\_\_  
(Cell) (763) 245 8458  
Comments: \_\_\_\_\_  
(763) 227 7612

Date: 09/06/2018 Signatures: [Signature] / [Signature]

2. Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone: (Home) \_\_\_\_\_  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_  
Comments: \_\_\_\_\_

Date: \_\_\_\_\_ Signatures: \_\_\_\_\_ / \_\_\_\_\_



**ADMINISTRATIVE VARIANCE  
DRIVEWAY REPLACEMENT**

Property Address: 2089 Stillwater Street

Pursuant to Section 9-6.3(e).(3) of Ordinance No. 35, the Town Clerk has the authority to review and approve requests for replacement of existing driveways which have non-conforming side yard setbacks, provided the applicant has supplied the necessary signatures of the affected property owner(s) abutting the side in which the variance is being requested.

The Town Clerk hereby approves the replacement of the driveway at the above address, in accordance with Section 9-6.3(e).(3).

Date: 9/12/10

  
\_\_\_\_\_  
WILLIAM F. SHORT, Clerk-Treasurer

Ratified by the Town Board on \_\_\_\_\_.



WHITE BEAR TOWNSHIP  
1281 Hammond Road  
White Bear Township, MN 55110  
Phone: 651-747-2750  
Fax: 651-426-2258  
[www.whitebeartownship.org](http://www.whitebeartownship.org)

### ZONING PERMIT APPLICATION

Applicant:  Owner  Contractor

Permit Number: \_\_\_\_\_

#### PROPERTY INFORMATION

Property Owner: Kathy Johnson  
Project Address: 2089 Stillwater St  
Street Address Suite / Unit #  
Home Phone: 651-235-5557 Cell Phone: \_\_\_\_\_

#### CONTRACTOR INFORMATION

Contractor: Asphalt Restoration Co. Inc.  
State License #: \_\_\_\_\_ Lead Certification #: \_\_\_\_\_  
Address: P.O. 401  
Street Address Suite / Unit #  
Hugo MN 55038  
City State ZIP Code  
Contact Person: Ryan Business Phone: \_\_\_\_\_  
Cell Phone: 651-307-5777 E-Mail Address: \_\_\_\_\_

#### PROPERTY TYPE

- Commercial  Public/Institutional  Single-Family Dwelling  Two-Family Dwelling  Townhouse

#### CONSTRUCTION TYPE

- Limited Accessory Building  Driveway  Fence  Impervious Patio  Tank Removal  Other \_\_\_\_\_

#### SUBMITTAL CHECKLIST

- Current State or Township Contractors License  
 2 Copies of a Site Plan

**Incomplete permit applications will not be accepted.**

I hereby apply for a building permit and acknowledge: the information above is complete and accurate; the work will be in conformance with the ordinances and codes of White Bear Township and Minnesota State Building Code; I understand this is not a permit but only an application for permit; work is not to start without permit; work will be in accordance with the Approved Placement inspection. This application and any issued permit may become null and void if permit is not issued or work is not commenced within 180 days, or if work is suspended or abandoned for a period of 180 days. I hereby certify that I have read and examined this application. The permit applicant acknowledges that it is their responsibility to ensure that the limited accessory building, driveway, fence or impervious patio is constructed entirely on the property for which this permit is issued.

**By checking the box below, the applicant agrees and acknowledges the electronic signature is valid and binding in the same force and effect as a handwritten signature.**

Agree  
Applicant Signature: [Signature] Date: 9-4-18

For Office Use Only

Fire Suppression: N/A IBC Construction Type: N/A Occupancy Classification: N/A

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Need Admin. Variance

2459 HYNES

Bill 3908 M L N N  
Cameron Brooklyn  
VISA, MASTERCARD ACCEPTED



www.arcpavinginc.com

### Asphalt Restoration Company, Inc.

P.O. Box 401  
Hugo, MN 55038

- residential/commercial paving
- all forms of asphalt repair
- bobcat grading
- concrete remove & replace
- class 5 driveways
- light demolition
- snow removal

Ryan Conlin  
(651) 307-5777

Ben Philipson  
(651) 206-9125

3 Straight VISA



Five year limited warranty on defective materials and workmanship, excluding frost cracks, damage from petroleum products, puncturing due to sharp objects, tire marks, and other acts of neglect. Pooling may occur unless there is a 1.2% grade to work with. Warranty excludes overlays unless otherwise agreed upon.

1.5% per month will be added on all accounts over 30 days.

2.0% charge on credit card transactions.

Proposal Submitted to Kathy Johnson

Customer Address 2089 Stillwater St White Bear Township, MN

Home Phone 651-235-5557 Work Phone \_\_\_\_\_

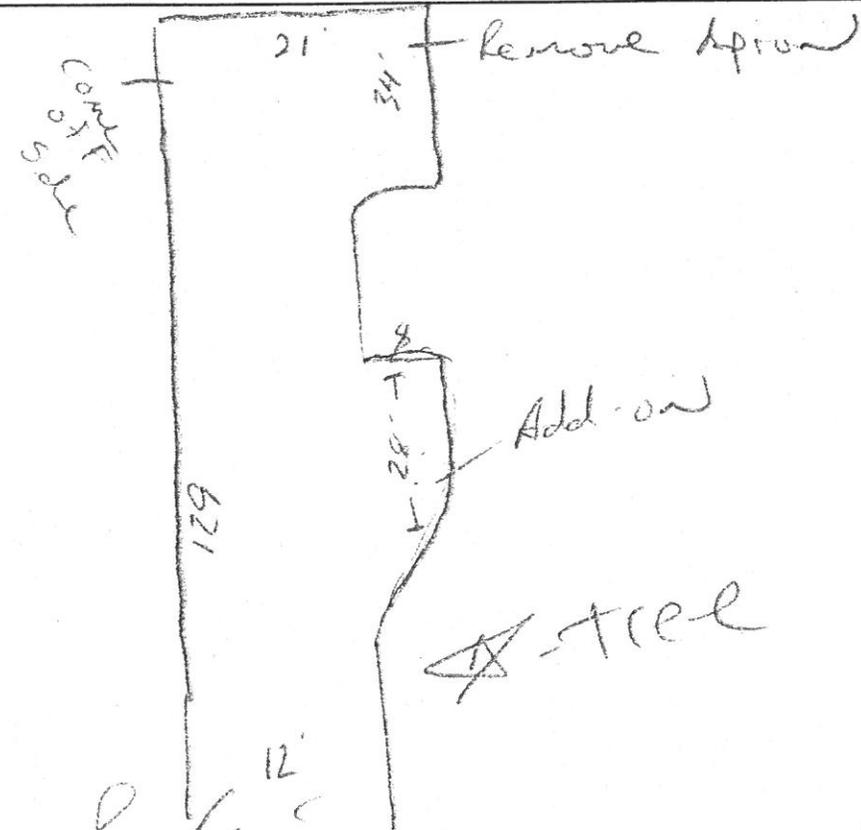
Area to be Blacktopped  Graveled  Excavated

Total Square Feet 2078

Inches of Blacktop 2.5" compacted Inches of Gravel 4"-5"

All material is guaranteed. This price includes any excavation, gravel and blacktop. Half payment is due at time of excavation and the remainder is due upon work completion unless otherwise agreed upon.

Price complete for the sum of \$ 6420.00



Estimator's Signature [Signature]

Estimate Date 8-13-18

Customer's Signature \_\_\_\_\_

Estimated Project Date \_\_\_\_\_





**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 5E – Consent Agenda

**Subject:** Resolution Accepting Township Day Donations – In Accordance With State Statutes, Adopt Resolution Accepting Township Day Donations

**Documentation:** Finance Officer Memo /  
Resolution Accepting Township Day Donations

**Action / Motion for Consideration:**

Receive Information / Discuss

In Accordance With Town Recommendation & In Accordance With State Statutes:

Adopt Resolution Accepting Township Day Donations

**Ruzek – Moves**

**Prudhon - Seconds**

**Accept 2018 Township Day Donations.** (TK)

**A. REFERENCE AND BACKGROUND:**

The Town received the donations listed below:

Item Donated	Donated By	Winning Bid	Bid Amount
Launch the Fireworks	RES Specialty Pyrotechnics/White Bear Township	Dan Shattuck	\$50.00
Bird House	Unknown	Dan Shattuck	\$15.00
4 Gift cards to Tea Bar	Tea Bar	Amanda Josephson	\$5.00
4 Gift cards to Tea Bar	Tea Bar	Linda Meyr	\$10.00
4 Gift cards to Tea Bar	Tea Bar	Manette Prill	\$20.00
2 Historic House Tours	White Bear Lake Historical Society	Linda Meyr	\$30.00
White Bear History Book	White Bear Township	Linda Lish	\$25.00
2 sets of WBL Photo Notecards	White Bear Lake Historical Society	Linda Lish	\$15.00
Book: White Bear's Hometown Heros: WBL Volunteer Fire Dept.	White Bear Lake Historical Society	Tom Riedesel	\$10.00
Book: Norway to White Bear Lake	White Bear Lake Historical Society	Tom Riedesel	\$10.00
1-year Family Membership & All about WBL (Book)	White Bear Lake Historical Society	Tom Riedesel	\$15.00
2018 White Bear Township Day Autographed Poster	White Bear Township/Power of 10/Jake Nelson	Tom Riedesel	\$5.00
Gift Certificate - Free spine & neurological Evaluation	Revive Chiropractic Wellness Cenmter	Tom Riedesel	\$30.00
A family fun basket with 4 DVD movies and treats	White Bear Township Park Board	Steph Olson	\$40.00
18 Speed Bike	White Bear Township Public Safety Commission	Ron Denn	\$420.00
Overnight Stay at White Bear Country Inn	Best Western White Bear Country Inn	Ryan King	\$120.00
4 Gift cards to Tea Bar	Tea Bar	Terri Reischl	\$7.00
4 Gift cards to Tea Bar	Tea Bar	Tim Boucher	\$16.00
Cub \$50 gift card	Cub Foods White Bear Township	Kurt Johnson	\$50.00
Book: Looking Back at White Bear Lake	White Bear Lake Historical Society	Steve Reeves	\$30.00
15' X 15' Bounce House Rental	All Around Fun	Scott Lombardi	\$75.00
Swag bag (t-shirt, 2 can koozies, grocery bag)	White Bear Emergency Food Shelf	Greg Pitlick	\$10.00
Two movie Passes	Emagine Theaters - White Bear	Barb Olund	\$25.00
\$20 Rudy's Redeye Grill Gift Card	Rudy's Redeye Grill, White Bear Lake	Barb Olund	\$25.00
3'X5' White Bear Township Flag	White Bear Township Park Board	Barb Olund	\$30.00
Smash a Car	Viking Auto	Various	\$100.00
	Total		\$1,188.00

Minnesota Statutes Section 465.03 requires the Town Board to accept any donations or grants by resolution. The Town received the above list of donations for Township Day; therefore, the Town Board needs to formally accept receipt of these donations totaling \$1,188.00.

- A1. **Budget Impact:** The funds received will be placed into the Community Park Improvement Fund for future park improvements.
- A2. **Staff Workload Impact:** There is no staff impact for accepting the donations.

**B. ALTERNATIVE ACTIONS:**

- 1. Accept the Township Day donations in the amount of \$1,188.00.
- 2. Do not accept the Township Day donations.

**C. STAFF RECOMMENDATION:**

1. Staff recommends alternative #1 for the acceptance of the Township Day donations.

**D. SUPPORTING DATA:**

Resolution accepting Township Day Donations.

EXTRACT OF MINUTES OF A MEETING OF THE TOWN  
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,  
HELD ON SEPTEMBER 17, 2018

Pursuant to due call and notice thereof, a regular meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on September 17, 2018, at 7:00 o'clock p.m.

The following members were present: Kermes, Prudhon, Ruzek; and the following members were absent: None.

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING TOWNSHIP DAY DONATIONS**

WHEREAS, the Annual Township Day Celebration was held on September 8, 2018,

AND WHEREAS, the Township received donations in the amount of \$1,188.00 to be used for future Polar Lakes Park improvements,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA:

Accept the donations totaling \$1,188.00 to be used for future Polar Lakes Park improvements.

The motion for the adoption of the foregoing Resolution was duly seconded by Supervisor Prudhon, and upon vote being taken thereon, the following voted in favor thereof: Kermes, Prudhon, Ruzek; and the following voted against the same: None.

Whereupon said Resolution was declared duly passed and adopted.

STATE OF MINNESOTA )  
 )  
COUNTY OF RAMSEY ) ss.  
 )  
TOWN OF WHITE BEAR )

I, the undersigned, being the duly qualified and acting Clerk of the Town of White Bear, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached and foregoing Extract of Minutes of a regular meeting of the Town Board of the said Town held on the 17<sup>th</sup> day of September, 2018, with the original on file in my office, and that the same is a full, true and complete transcript therefrom, insofar as the same relates to the preliminary levy of the Town of White Bear.

WITNESS my hand as such Clerk and the Town Clerk's Seal this 17<sup>th</sup> day of September, 2018.

---

TOWN CLERK, TOWN OF WHITE BEAR, MINN.



**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 5F – Consent Agenda

**Subject:** **BearScare Fun Run** – In Accordance with the Township’s Special Events Policy, Approve the Joint Otter Lake Elementary/Lincoln Elementary Schools BearScare Fun Run on October 27, 2018, from 9:00 a.m. to 12:00 Noon from Hammond Road to Ninth Street via Otter Lake Road

**Documentation:** Staff Memo /  
Email / Certificate of Insurance / Flyer

**Action / Motion for Consideration:**

Receive Information / Discuss

In Accordance with the Township’s Special Events Policy, Approve the Joint Otter Lake Elementary/Lincoln Elementary Schools BearScare Fun Run on October 27, 2018, from 9:00 a.m. to 12:00 Noon from Hammond Road to Ninth Street via Otter Lake Road

## MEMORANDUM

**TO: TOWN BOARD**  
**FROM: PATTI WALSTAD**  
**DATE: SEPTEMBER 12, 2018**

**SUBJECT: BEARSCARE FUN RUN**

WBL School District #624 has requested approval from the Township for the BearScare Fun Run on October 27, 2018 from 9:00 a.m. to 12:00 noon from Hammond Road to Ninth Street via Otter Lake Road. This event has been held in the past without incident.

In accordance with the Special Events Policy, a certificate of insurance has been provided listing White Bear Township as an additional insured.

## Patti Walstad

---

**From:** Tom Riedesel  
**Sent:** Wednesday, September 12, 2018 10:27 AM  
**To:** Patti Walstad  
**Subject:** FW: 4th Annual BearScare Fun Run

Bear Scare

**From:** Carrie Troske [mailto:carrie.troske@isd624.org]  
**Sent:** Wednesday, September 12, 2018 10:17 AM  
**To:** Tom Riedesel <Tom.Riedesel@whitebeartownship.org>  
**Subject:** Re: 4th Annual BearScare Fun Run

Hi, again :)  
My peeps are fast - here's the updated certificate!  
Thanks & Have a great day!

A rectangular box containing a faint, light-colored image of a certificate. The text "Certificate.pdf" is centered below the image.

Certificate.pdf

On Wed, Sep 12, 2018 at 10:10 AM, Tom Riedesel <Tom.Riedesel@whitebeartownship.org> wrote:

Thanks Carrie,

Sounds good.

Tom

**From:** Carrie Troske [mailto:carrie.troske@isd624.org]  
**Sent:** Wednesday, September 12, 2018 10:03 AM  
**To:** Tom Riedesel <Tom.Riedesel@whitebeartownship.org>  
**Subject:** 4th Annual BearScare Fun Run

Good Morning, Tom~

Thanks for the quick reply / call back yesterday!

I have attached a flyer that we created for this years event.

The main details are:  
Saturday, October 27th

Main location Otter Lake Elementary

Costume Fun Run from Otter Lake - to Lincoln, and back.

Folks can either walk / run back from Lincoln, or ride a shuttle (school) bus

We use Otter Lake Road (cross at H2), and then go down 9th Street - same route back.

Registration / Activities begin at Otter Lake 9-9:30am

We are also reaching out / getting approval from Tamarack Nature Center as we use their paths along Otter Lake Road (rather than the road where we can) as well.

We also have volunteer Course Marshall's along the way and at intersections.

We can post route signs 2 days prior (unless you direct us differently) and fill in with more, day of.

I have also put in a request for an update Certificate of Insurance.

Please let me know any other details I can take care of, and THANK YOU for bringing it to the Board :)

Have a great day!



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
9/12/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	<b>CONTACT NAME:</b> Katie Navin
	<b>PHONE (A/C No, Ext):</b> 630-228-6665 <b>FAX (A/C, No):</b>
	<b>E-MAIL ADDRESS:</b> katie_navin@ajg.com
	<b>INSURER(S) AFFORDING COVERAGE</b>
	<b>INSURER A :</b> Underwriters at Lloyd's London <b>NAIC #</b> 15792
	<b>INSURER B :</b>
	<b>INSURER C :</b>
	<b>INSURER D :</b>
	<b>INSURER E :</b>
	<b>INSURER F :</b>

**COVERAGES**      **CERTIFICATE NUMBER:** 2139767079      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> \$100,000 POOL SIR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PK1019118	7/1/2018	7/1/2019	EACH OCCURRENCE \$ 4,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 4,000,000 GENERAL AGGREGATE \$ 8,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
A	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY			PK1019118	7/1/2018	7/1/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 4,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Comp/Coll Ded \$ 1,000/\$1,000
	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<input type="checkbox"/> <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			N/A			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	School Board Legal (Claims Made) Sexual Harassment/Abuse			PK1019118	7/1/2018	7/1/2019	Per Occ/Agg \$4M/\$8M Included

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
 Non-Tort liability or Out-of-State Liability claims \$4,000,000 Each Occurrence Limit; per Member District  
 Non-Tort liability or Out-of-State Liability Claims \$8,000,000 Aggregate Limit; per Member District.  
 If holder is specifically listed as an additional insured refer to: Blanket Additional Insured per Certificates of Insurance Endorsement #21 added 7/1/2018  
 RE: Bear Scare Fun Run sponsored by Lincoln and Otter Lake Elementary Schools on Saturday, October 27, 2018

<b>CERTIFICATE HOLDER</b>  White Bear Township 1281 Hammond Road White Bear Township MN 55110	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
---	--

# SATURDAY OCTOBER 27<sup>TH</sup> 2018

REGISTRATION & ACTIVITIES  
9AM - 9:30AM

\$20/RUNNER

## GHOSTS & GHOULS

Come out in costume and join us for a very fun Fall Run/Walk to raise money for Lincoln Elementary & Otter Lake Elementary!

COSTUME WINNERS  
(RANDOM DRAWING)  
ANNOUNCED AT 9:45AM

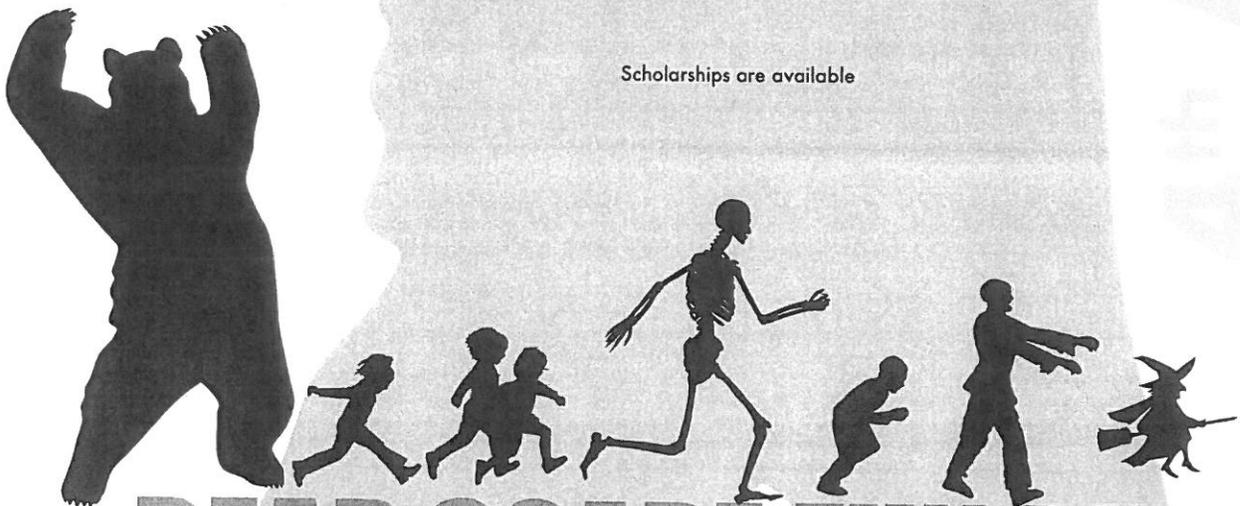
1/2 MILE SKELETON SKIP  
10:00AM

For information and registration visit:  
<http://bit.ly/bearscafe18>

FREAKY FOUR MILER/  
TERRIFYING TWO MILER  
10:15AM

Various sponsorship and advertising opportunities available.  
Please contact us at [bearscaferun@gmail.com](mailto:bearscaferun@gmail.com) today!

Scholarships are available



# BEAR SCARE FUN RUN

Lincoln and Otter Lake Elementary Schools

## Early Birds

Registration \$15 per runner if registered by October 11th. You will be Guaranteed a shirt on race day. \$20 per runner if you register after the early bird cut-off. Your shirt will be available for pick up 2 weeks after the race at your chosen school. For anyone interested in ordering a shirt but not racing, we will have order forms on race day - shirts will be \$20 dollars



**Town Board Meeting  
September 17, 2018**

**Agenda Number: 5G – Consent Agenda**

**Subject: Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the XcelEnergy Permit to Extend Gas Service for a Residence at 5530 Peterson Road Which Extension Will Require Directional Boring

**Documentation:** Town Engineer Correspondence w/ Map

**Action / Motion for Consideration:**

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the XcelEnergy Permit to Extend Gas Service for a Residence at 5530 Peterson Road Which Extension Will Require Directional Boring



444 Cedar Street, Suite 1500  
Saint Paul, MN 55101  
651.292.4400  
tkda.com

September 11, 2018

Honorable Chairman and Town Board  
White Bear Township, Minnesota

Re: XcelEnergy Permit Application  
5530 Peterson Road  
White Bear Township, Minnesota  
TKDA Project No. 16627.000

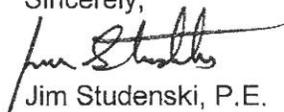
Dear Board Members:

XcelEnergy has applied for a permit to extend gas service for residence at 5530 Peterson Road. The project will require directional boring. The attached map shows the project.

We recommend approval with the following conditions:

1. Contractor shall coordinate activities with the new subdivision construction.
2. Contractor must protect new street into the subdivision.
3. Contractor must protect gravel on Peterson Road and resident driveway.
4. Disturbed areas shall be restored equal to or better than original condition.
5. It has been discussed with XcelEnergy that Peterson Road doesn't follow the centerline of the right-of-way.
6. It has been discussed with XcelEnergy that the right-of-way changes throughout the length of Peterson Road.
7. It has been discussed with XcelEnergy that Peterson Road improvements could be occurring as soon as 2019.
8. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
9. Call Gopher One-Call prior to any work.

Sincerely,



Jim Studenski, P.E.  
Town Engineer  
Enclosures



September 6, 2018

**APPLICATION OF THE XCEL ENERGY CO.**

~~City~~ Engineer  
White Bear ~~Lake~~ Township  
1281 Hammond Road  
White Bear Lake Township, MN 55110  
651-747-2750

Application is hereby made for permission to construct and therefore maintain: 380' of New 2" PE 60 PSI –natural gas main extension from the existing 2" PE 60 PSI gas main located approximately 16' West of the center line on the West side of Peterson Road (across from 5474 Peterson Rd) to provide gas service to the address of 5530 Peterson Road, in the township right of way.

I. Type of Utility – NATURAL GAS

Installing 380' of new natural gas 2" pe gas main extension from the 2" pe gas main on W side of Peterson Road, cross street is County Road H2-East. Plow is the install method.

II Work to be started upon issuance of permits, and completed by October 31<sup>st</sup>, 2018.

Application approved:

By: \_\_\_\_\_  
\_\_\_\_\_

Application submitted by:  
XCEL ENERGY CO.

Lisa Peltier  
Xcel Energy Gas Designer  
5363 260<sup>th</sup> Street N  
Wyoming, MN 55092-9095  
651-462-6203 Direct  
651-462-6217 Fax

Q0997  
08/15/2018

ANDERSON LN

1130

1140

1156

1170

METRO FENCE

5530

\* Install  
Ø20" 2" PE Main

5474

5470

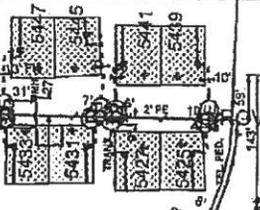
5451

5441

5435

5425

EVENCE LN



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Scale: 1" equals 200'

555  
554  
553

55  
54  
54

5475

5484

131



**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 5H – Consent Agenda

**Subject:** **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the XcelEnergy Permit to Replace Cable Service for a Residence at 5409 Brittany Court Which Will Require Directional Boring

**Documentation:** Town Engineer Correspondence w/ Map

**Action / Motion for Consideration:**

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve the XcelEnergy Permit to Replace Cable Service for a Residence at 5409 Brittany Court Which Will Require Directional Boring



444 Cedar Street, Suite 1500  
Saint Paul, MN 55101  
651.292.4400  
tkda.com

September 13, 2018

Honorable Chairman and Town Board  
White Bear Township, Minnesota

Re: XcelEnergy Permit Application  
5409 Brittany Court  
White Bear Township, Minnesota  
TKDA Project No. 16627.000

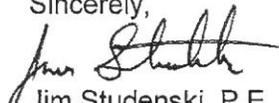
Dear Board Members:

XcelEnergy has applied for a permit to replace cable service for residence at 5409 Brittany Court. The project will require directional boring. The attached map shows the project.

We recommend approval with the following conditions:

1. Contractor must protect resident driveway during the boring activity.
2. Contractor must protect the storm sewer pipe in the cul-de-sac.
3. Contractor must protect sewer and water services along the construction route.
4. Contractor must run the cable behind all hydrants when it goes past them.
5. Disturbed areas shall be restored equal to or better than original condition.
6. County Road H2 is under the jurisdiction of Ramsey County and may need a separate permit with them.
7. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
8. Call Gopher One-Call prior to any work.

Sincerely,

  
Jim Studenski, P.E.  
Town Engineer

Enclosures

# APPLICATION FOR ROW USE IN WHITE BEAR ~~LAKE~~ TOWNSHIP

Location -5409 Brittany Court, White Bear Lake, MN

~~/~~ Location -530 Hall Ave, White Bear Lake, MN - CITY OF BIRCHWOOD

Start Date - 9/14/18

End- 10/14/18

Description of Work - Due to faulting cable Xcel Energy must replace 325' and 645' of #2 Al UG cable. Directional boring will be used and restoration will be performed. Grass will be disturbed and no traffic closures will be necessary. W/O: 101937801 & 101945890

**Signature:** Kpatcha Toyisson

**Date:** 09/10/2018

**Approval:**

**Date:**





**Town Board Meeting  
September 17, 2018**

**Agenda Number: 5I – Consent Agenda**

**Subject: Construction Activity Report - Receive**

**Documentation: Report**

**Action / Motion for Consideration:**

Receive Information / Discuss

Receive Report

### White Bear Township Construction Activity Report

<u>BUILDING PERMIT</u>	<b>AUGUST 2018</b>		<b>2018 YEAR TO DATE</b>		<b>2017 YEAR TO DATE</b>	
	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
<b><u>HOUSING</u></b>						
SINGLE FAMILY	1	243,000	9	2,426,000	16	3,720,000
TOWN HOME	-	-	-	-	-	-
<b>TOTALS</b>	<b>1</b>	<b>243,000</b>	<b>9</b>	<b>2,426,000</b>	<b>16</b>	<b>3,720,000</b>
<b><u>MISCELL. RESIDENTIAL</u></b>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
REMODEL & ADDITIONS	4	125,000	44	1,516,170	48	1,389,899
SIDING, ROOF. & WIND.	40	420,265	297	3,198,942	238	2,261,162
DECKS	4	25,900	29	169,800	34	195,060
SWIMMING POOLS	1	25,000	2	27,500	2	2,000
ACCESSORY BLDG	-	-	2	35,000	10	169,000
OTHER	4	35,205	19	76,028	19	589,707
<b>TOTALS</b>	<b>53</b>	<b>631,371</b>	<b>393</b>	<b>5,023,440</b>	<b>351</b>	<b>4,606,828</b>
<b><u>COMMERCIAL</u></b>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
PUBLIC BUILDINGS	1	52,000	4	139,000	1	130,800
INDUSTRIAL	-	-	-	-	1	25,000
BUSINESS	-	-	1	610,000	-	-
REMODEL & ADDITIONS	1	1,400	8	3,073,600	-	-
OTHER	-	-	8	288,398	4	149,500
<b>TOTALS</b>	<b>2</b>	<b>53,400</b>	<b>21</b>	<b>4,110,998</b>	<b>6</b>	<b>305,300</b>
<b><u>MISCELLANEOUS</u></b>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
DEMOLITION			2	-	-	-
<b><u>TOTALS</u></b>	<b>56</b>	<b>927,771</b>	<b>425</b>	<b>11,560,438</b>	<b>373</b>	<b>8,632,128</b>
<b>PERMIT REVENUE</b>		<b>\$ 10,725</b>		<b>\$ 92,429</b>		<b>\$ 83,994</b>



**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 6A – Old Business - None

**Subject:**

**Documentation:**

**Action / Motion for Consideration:**



## Town Board Meeting September 17, 2018

**Agenda Number:** 7A – Public Hearing

**Subject:** 5605 Hugo Road – Right-of-Way Setback Variance Request  
To Allow Garage Construction

**Documentation:** Staff Memo w/attachments /  
Variance Application Form /  
Public Notice / Resident Letter / Mailing List  
Publication

### Action / Motion for Consideration:

- Note Proper Publication of the Hearing Notice in Newspaper & Waive Reading of Notice
- Open Public Hearing
- Open Public Comment Portion – Ask for Comments
- Close Public Portion of Hearing

Based on Variance Board & Planning Commission & Staff Review & Recommendation Approve a:

- 18.4' Right-of-Way Setback Variance
- 28' Square foot Garage Area Variance &
- 18% Green Area Variance

to Allow a Garage Addition at 5605 Hugo Road

-----  
Minutes  
Planning Commission Meeting  
August 23, 2018

**CONSENT AGENDA: JOHN & KATHRYN SCHWARTZ, 5605 HUGO ROAD – REQUEST FOR: 1) 18.4' RIGHT-OF-WAY SETBACK VARIANCE; 2) 28 SQUARE FOOT GARAGE AREA VARIANCE; 3) 18% GREEN AREA VARIANCE TO ALLOW A GARAGE ADDITION:** The Planner reported that John and Kathryn Schwartz are requesting approval of three variances which would allow them to add a garage to the home they recently purchased at 5605 Hugo Road. There currently is no garage on

the property. The Variances requested include: 1) an 18.4' right-of-way setback variance which would allow construction of an attached garage 16.6' from the Hugo right-of-way line; 2) a 28 square foot area variance which would allow a 576 square foot garage on a 5,480 square foot lot; 3) an 18% green area variance which would allow the garage addition and driveway.

**Right-of-way Setback Variance:** An 18.4' right-of-way setback variance is being requested to add a 24' x 24' garage at 5606 Hugo Road.

**Garage Area Variance:** The proposed garage addition is 24' x 24' in area totaling 576 square feet. The Schwartz lot is 5,480 square feet in area. A garage and/or accessory structure is permitted to cover up to 10% of the lot area, not to exceed 1,000 square feet per structure. The maximum garage area permitted, based on the lot square footage is 548 square feet. A 28 square foot variance is requested.

**Green Area Variance:** The Schwartz lot is located in the Shoreland Management Zone which permits up to 25% lot coverage. Based on a 5,480 square foot lot, up to 1,370 square feet of the lot may be covered with impervious surfacing which includes the home, accessory structures, paved or concrete sidewalks or driveways. With an increase in impervious area planned, the Schwartz's are planning to remove the existing paved driveway and sidewalks in trade for the garage and driveway. New sidewalks would be constructed of pavers or pervious surfacing. The total hard surface area within the lot to be eliminated is 1,260 square feet or 23% of the site. An 18% green area variance is requested as 43% of the site is proposed to be covered with impervious surfacing.

The Town has reviewed and approved several variances on Hugo Road. Following are twelve of the variances approved:

- 5543 Hugo Road:** A 13' lakeshore setback variance on a 12,197 square foot lot.
- 5579 Hugo Road:** A 7% green area and 116 square foot variance for a garage in 1998 on a 6,970 square foot lot.
- 5583 Hugo Road:** A 13' lakeshore setback variance on a 6,098 square foot lot.
- 5593 Hugo Road:** A 15' right-of-way, 17' lakeshore and 1.167' setback variance in 1998 on a 6,098 square foot lot.
- 5599 Hugo Road:** A 25' right-of-way, 5' side and 43' lakeshore setback variances in 1998 on a 12,197 square foot lot.
- 5611 Hugo Road:** A 9' side yard and 10' right-of-way setback variance in 1979 and a 2' side yard and 62' lakeshore setback variance in 1986 on a 5,227 square foot lot.
- 5617 Hugo Road:** An 18' right-of-way setback variance for a new garage in 1995 on a 6,098 square foot lot.
- 5641 Hugo Road:** A 3' side yard, 12' right-of-way setback variances in 1986 on a 5,227 square foot lot.
- 5653 Hugo Road:** A 14' right-of-way, 33.5' lakeshore and 20% green area variance in 2003 on a 2,614 square foot lot.
- 5657 Hugo Road:** 1.8' side yard, 42' lakeshore, 15' right-of-way and 9% green area variances in 2003 on a 6,970 square foot lot.
- 5661 Hugo Road:** A 21' right-of-way setback variance in 1981 and a 15' right-of-way setback and 10' lakeshore setback variance in 1989 on a 5,227 square foot lot.
- 5669 Hugo Road:** A 40' lakeshore variance on a 2,614 square foot lot.

Section 7-1.5 of Ordinance states: "Front yard setback variances may be granted to conform to lesser setbacks of existing adjacent structures. For new structures, the minimum front yard setback shall not be less than 20 feet." It appears that this standard has been followed for the properties along Hugo Road with the following exceptions:

**5661 Hugo Road** (21' right-of-way setback variance).

**5617 Hugo Road** (18' right-of-way setback variance).  
**5599 Hugo Road** (25' right-of-way setback variance).

The 10' setback for a garage at 5599 Hugo Road which abuts the Schwartz property appears to have permitted the closest structure to Hugo Road. The Schwartz request would place their garage 16.6' from the right-of-way.

The following appears to be the greatest variances approved along Hugo Road:

- A 25' setback variance at 5599 Hugo Road for a garage. It should be noted that the garage at 5641 Hugo Road is 6.5' from the right-of-way. The Schwartz garage would have a 16.6' right-of-way setback as proposed.
- A 215 square foot garage area variance at 5583 Hugo Road which permitted an 840 square foot garage. The Schwartz's are requesting a 28 square foot garage area variance.
- A 20% green area variance at 5653 Hugo Road. The Schwartz's are requesting approval of an 18% green area variance.

Comments included:

- Should consider a tear-down and build on the same footprint.
- The neighbor to the north expressed concerns at the Variance Board meeting on July 17 because they will have a visual impact if the variance is approved as requested. He also had concerns with parking because cars cannot park on the opposite side of Hugo road in the winter.

Kotilinek moved to recommend to the Town Board to approve an 18.4' right-of-way setback variance; a 28' square foot garage area variance; and an 18% green area variance to allow garage addition at 5605 Hugo Road. Swisher seconded. Ayes all.

-----  
**Minutes**  
**Variance Board Meeting**  
**August 15, 2018**

**JOHN & KATHRYN SCHWARTZ, 5605 HUGO ROAD – Request for 18.4' Right-of-Way Setback Variance, 28 Square Foot Garage Area Variance & 18% Green Area Variance To Allow Construction of a Garage Addition With Living Quarters Above:** Riedesel summarized the updated request from the Schwartz's to add an attached garage to the existing home with living quarters above. The Variance Board reviewed a proposal from the Schwartz's in July. The Variance Board had several recommendations at that time and continued review of the request until August.

A new plan was submitted which flipped the proposed garage to the southeast side of the home. The breezeway was eliminated and the garage downsized and attached directly to the home. A right-of-way setback of 16.6' is requested requiring an 18.4' setback variance (reduced from 35' variance requested in July). A 28 square foot garage area variance and an 18% green area variance is also requested.

The Variance Board discussed the revised proposal.

Mr. Schwartz noted that the driveway will have a hard surface and will be lined with pavers or Class V.

Short asked if Mr. Schwartz could reduce the width of the driveway near the right-of-way to create more green area.

Mr. Schwartz agreed to reduce the width of the driveway.

Kotilinek felt that the plan as proposed is consistent with variances previously approved by the Town Board along Hugo Road.

Johnson noted that he supports the updated plan.

Short moved to recommend to the Planning Commission to recommend to the Town Board to approve the three requested variances as requested subject to reducing the width of the driveway which would result in less impervious surface than exists today. Johnson seconded. Ayes all.

Riedesel noted that a minor subdivision proposal was received last week which will require approval of several variances. He will schedule a meeting early next week to discuss.

-----  
**Minutes**  
**Variance Board Meeting**  
**July 17, 2018**

**JOHN & KATHERYN SCHWARTZ, 5605 HUGO ROAD – Request for a 35' Right-of-Way Setback Variance, 118 Square Foot Area Variance and 16% Green Area Variance to Add a Garage with Living Quarters:** Riedesel summarized the request to add a garage and breezeway including living quarters to the Hugo Road side of the home at 5605 Hugo Road. Three variances are being requested: a 35' right-of-way setback variance, a 118 square foot garage area variance, and a 16% green area variance.

The new garage is proposed to be 33' x 24' with a 6' x 8' breezeway connecting to the home. 126 square feet of the garage is proposed to be living quarters with a stairway up to additional living area. The square footage of the garage is proposed to be 666 square feet. A zero foot setback is proposed between the garage and the Hugo Road property line.

The Schwartz lot is 5,480 square feet in area. A 666 square foot garage will exceed the 10% garage area allowance requiring approval of a 118 square foot garage area variance.

Twenty-five percent is the maximum coverage permitted for this lot. The proposed addition will require 16% green area variance. The Schwartz's would eliminate 1,112 square feet of existing hard surface including sidewalk and driveway amounting to an overall decrease in impervious surface of 4.7%.

Riedesel provided a list of variances approved along this portion of Hugo Road. He noted that the greatest variances approved including: a 25' setback variance from Hugo Road, a 215 square foot garage area variance at 5583 Hugo Road and a 20% green area variance at 5653 Hugo Road.

The Letourneau's provided some photos of nearby house/garages at the meeting. They also provided a letter with their comments relating to the Schwartz request. The Letourneau house abuts the north side of the Schwartz property.

Johnson noted that he does not have any concerns regarding the garage square footage and the green area variance due to the decrease in impervious area. He is opposed to a 0' right-of-way setback however.

The Variance Board discussed properties along Hugo Road and their history of variances. Short noted that it is important to maintain compatibility in the neighborhood. He felt that the Schwartz garage setback from the right-of-way would not be compatibility with other structures of the nearest neighbors.

Denn noted that the Town attempts to allow anyone to have a two car garage. He struggles with the 0' setback request. He also noted that he used to work with Mr. Schwartz and would abstain from voting on this proposal.

Mrs. Letourneau noted that they will have a visual impact if the variance is approved as requested, there is a concern with parking and noted cars cannot park on the opposite side of Hugo Road in the winter and that they have 4 parking stalls in the driveway, they also took living space from their house and converted it to garage when their variance was approved by the Town in 1979.

Schwartz noted that there currently is no garage on the property.

It was noted that tying the roof of the house into the garage which is proposed to have a living space above will be complicated that is why they are proposing an 8' breezeway.

Short recommended that the Schwartz's explore additional options including reducing the garage area to create a greater setback from Hugo Road. He noted that he could not support the setback variance as requested since this proposal requests a greater setback variance than has previously been approved by the Town for similar situations.

Mr. Schwartz requested direction from the Variance Board so he can modify his proposal.

Johnson noted a 22' x 22' garage is considered the minimum size double garage that the Town has strived to allow for all property owners.

Short noted that the Schwartz's should consider the Letourneau variances as a good example of providing a double garage with minimum amount of variances.

Short moved to continue the Variance Board meeting to Tuesday, July 24<sup>th</sup> at 7:30 a.m. to allow the applicant time to modify his proposal. Johnson seconded. Ayes all.

## MEMORANDUM

**TO: VARIANCE BOARD**  
**FROM: TOM RIEDESEL**  
**DATE: JULY 13, 2018 UPDATED AUGUST 8, 2018**

**SUBJECT: HOME ADDITION**

**REQUESTS: 18.4' RIGHT-OF-WAY SETBACK VARIANCE**  
**28 SQUARE FOOT GARAGE AREA VARIANCE**  
**18% GREEN AREA VARIANCE**

**LOCATION: 5605 HUGO ROAD**  
**APPLICANTS: JOHN & KATHRYN SCHWARTZ**  
**ZONING: R-1**  
**PUBLIC**  
**HEARING: REQUIRED**

Mr. & Mrs. Schwartz are requesting approval of 3 variances which would allow them to add a garage to the home they recently purchased at 5605 Hugo Road. There currently is no garage on the property. The variances requested include:

- An 18.4' right-of-way setback variance which would allow construction of an attached garage 16.6' from the Hugo Road right-of-way line
- A 28 square foot garage area variance which would allow a 576 square foot garage on a 5,480 square foot lot
- A 18% green area variance which would allow the garage addition and driveway

Right-of-Way Setback: An 18.4' right-of-way setback variance is being requested to add a 24' x 24' garage at 5605 Hugo Road.

Garage Area Variance: The proposed garage addition is 24' x 24' in area totaling 576 square feet. The Schwartz lot is 5,480 square feet in area. A garage and/or accessory structure is permitted to cover up to 10% of the lot area, not to exceed 1,000 square feet per structure. The maximum garage area permitted, based on the lot square footage, is 548 square feet. A 28 square foot variance is requested.

Green Area Variance: The Schwartz lot is located in the Shoreland Management Zone which permits up to 25% lot coverage. Based on a 5,480 square foot lot, up to 1,370 square feet of the lot may be covered with impervious surfacing which includes the home,

accessory structures, paved or concrete sidewalks or driveways. With an increase in impervious area planned, the Schwartz's are planning to remove the existing paved driveway and sidewalks in trade for the garage and driveway. New sidewalks would be constructed of pavers or pervious surfacing. The total hard surface area within the lot to be eliminated is 1,260 square feet or 23% of the site.

An 18% green area variance is requested as 43% of the site is proposed to be covered with impervious surfacing.

The Town has reviewed and approved several variances on Hugo Road. The following list summarizes the approved variances:

- 5543 Hugo Road A 13' lakeshore setback variance on a 12,197 square foot lot
- 5579 Hugo Road A 7% green area and 116 square foot variance for a garage in 1998 on a 6,970 square foot lot
- 5583 Hugo Road A 13' lakeshore setback variance on a 6,098 square foot lot
- 5593 Hugo Road A 15' right-of-way, 17' lakeshore and 1.167' side setback variance in 1998 on a 6,098 square foot lot
- 5599 Hugo Road A 25' right-of-way, 5' side and 43' lakeshore setback variances in 1988 on a 12,197 square foot lot
- 5611 Hugo Road A 9' side yard and 10' right-of-way setback variance in 1979 and a 2' side yard and 62' lakeshore setback variance in 1986 on a 5,227 square foot lot
- 5617 Hugo Road An 18' right-of-way setback variance for a new garage in 1995 on a 6,098 square foot lot
- 5641 Hugo Road A 3' side yard, 12' right-of-way setback variances in 1986 on a 5,227 square foot lot
- 5653 Hugo Road A 14' right-of-way, 33.5' lakeshore and 20% green area variance in 2003 on a 2,614 square foot lot
- 5657 Hugo Road A 1.8' side yard, 42' lakeshore, 15' right-of-way and 9% green area variances in 2003 on a 6,970 square foot lot
- 5661 Hugo Road A 21' right-of-way setback variance in 1981 and a 15' right-of-way setback and 10' lakeshore setback variance in 1989 on a 5,227 square foot lot
- 5669 Hugo Road A 40' lakeshore setback variance on a 2,614 square foot lot

Section 7-1.5 of Ordinance No. 35 states:

Front yard setback variances may be granted to conform to lesser setbacks of existing adjacent structures. For new structures, the minimum front yard setback shall not be less than 20'

It appears that this standard has been followed for the properties along Hugo Road with the following exceptions:

- 5661 Hugo Road (21' right-of-way setback variance)
- 5617 Hugo Road (18' right-of-way setback variance)
- 5599 Hugo Road (25' right-of-way setback variance)

The 10' setback for a garage at 5599, which abuts the Schwartz property, appears to have permitted the closest structure to Hugo Road. The Schwartz request would place their garage 16.6' from the right-of-way.

The following appears to be the greatest variances approved along Hugo Road:

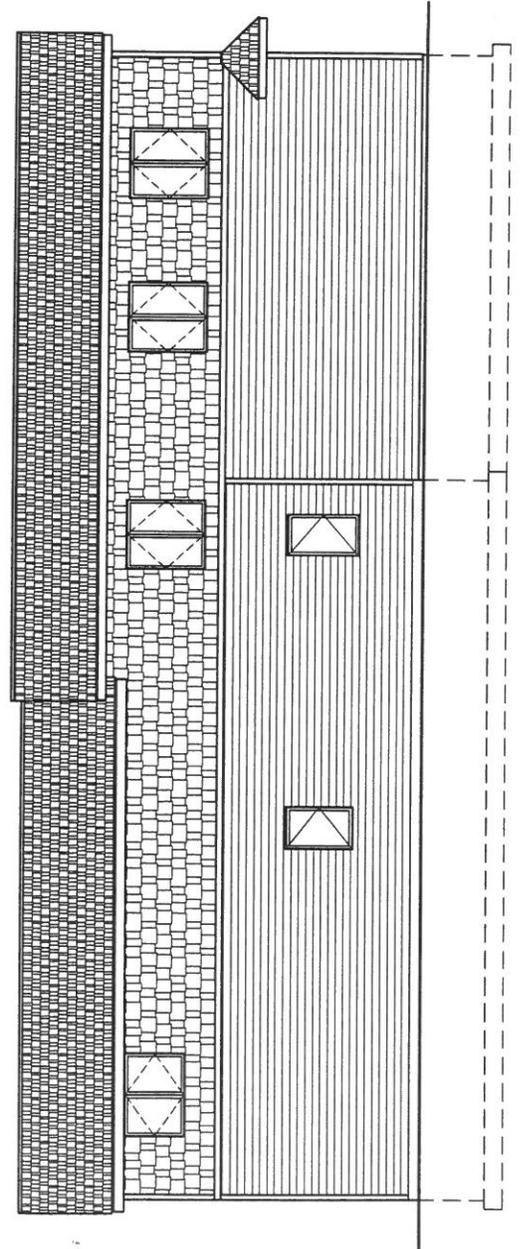
- A 25' setback variance at 5599 for a garage. It should be noted that the garage at 5641 Hugo Road is 6.5' from the right-of-way. The Schwartz garage would have an 16.6' right-of-way setback as proposed
- A 215 square foot garage area variance at 5583 Hugo Road which permitted an 840 square foot garage. The Schwartz's are requesting a 28 square foot garage area variance.
- A 20% green area variance at 5653 Hugo Road. The Schwartz's are requesting approval of a 18% green area variance.

TR/psw  
cc:admin/add.file  
b:schwartz

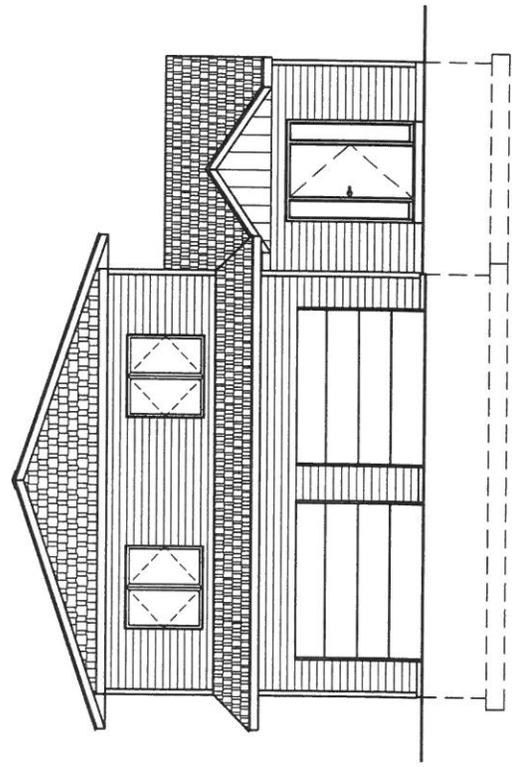
PLANS, ELEVATIONS, AND SECTIONS  
 PREPARED BY:  
 BRUCE P. PAULSON, AIA  
 LICENSED MINNESOTA ARCHITECT  
 NO. 20910

SCHWARTZ RESIDENCE IMPROVEMENTS  
 5605 HUGO ROAD  
 WHITE BEAR LAKE, MINNESOTA

PROPOSED  
 EXTERIOR  
 ELEVATIONS



1 PROPOSED SOUTH ELEVATION



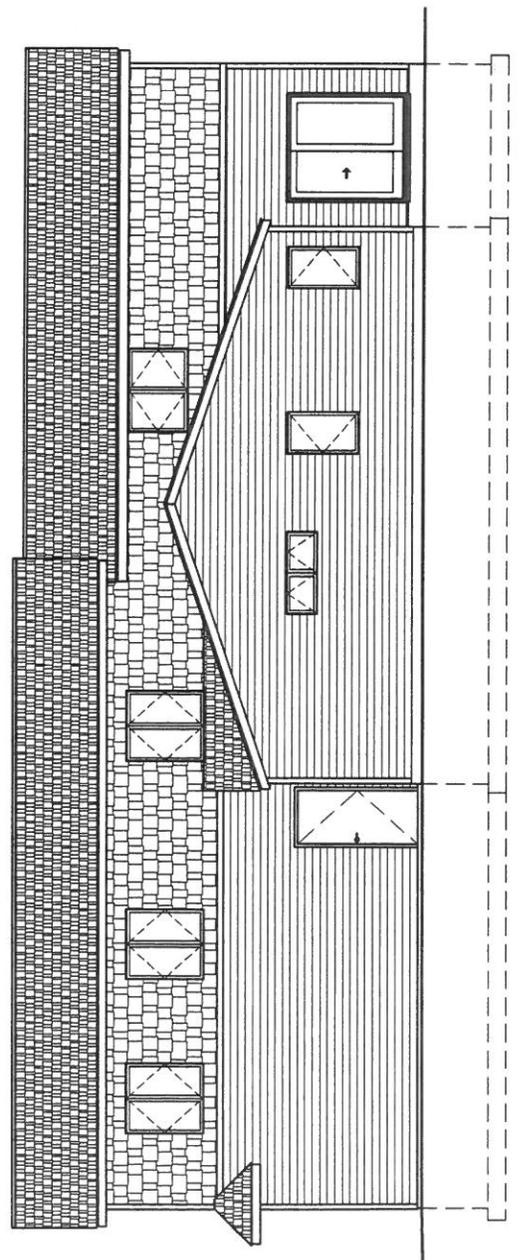
2 PROPOSED WEST ELEVATION



PLANS, ELEVATIONS, AND SECTIONS  
PREPARED BY:  
BRUCE P. PAULSON, AIA  
LICENSED MINNESOTA ARCHITECT  
NO. 20910

SCHWARTZ RESIDENCE IMPROVEMENTS  
5605 HUGO ROAD  
WHITE BEAR LAKE, MINNESOTA

PROPOSED  
EXTERIOR  
ELEVATION



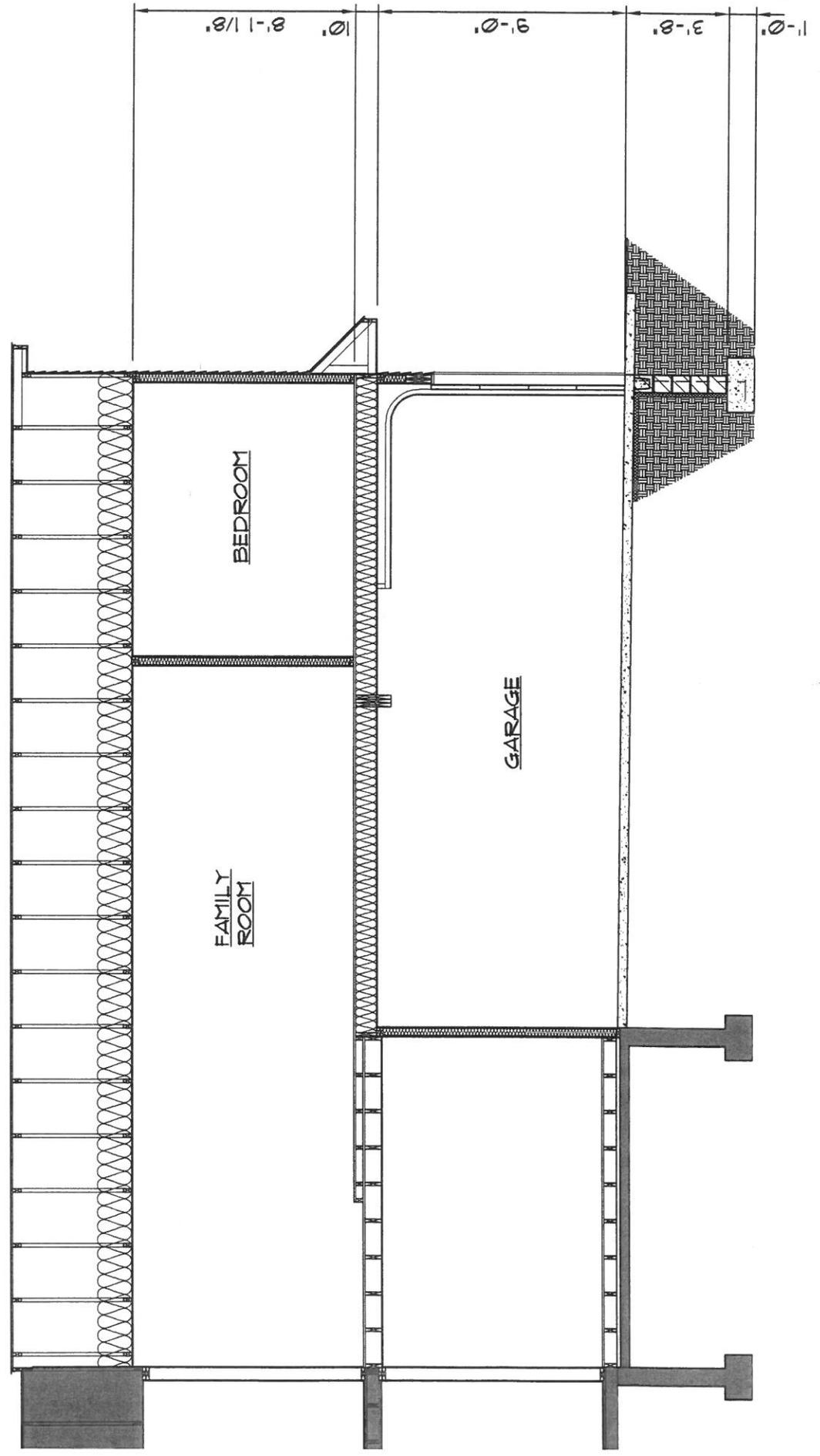
1 PROPOSED NORTH ELEVATION



PROPOSED BUILDING SECTION

SCHWARTZ RESIDENCE IMPROVEMENTS  
5605 HUGO ROAD  
WHITE BEAR LAKE, MINNESOTA

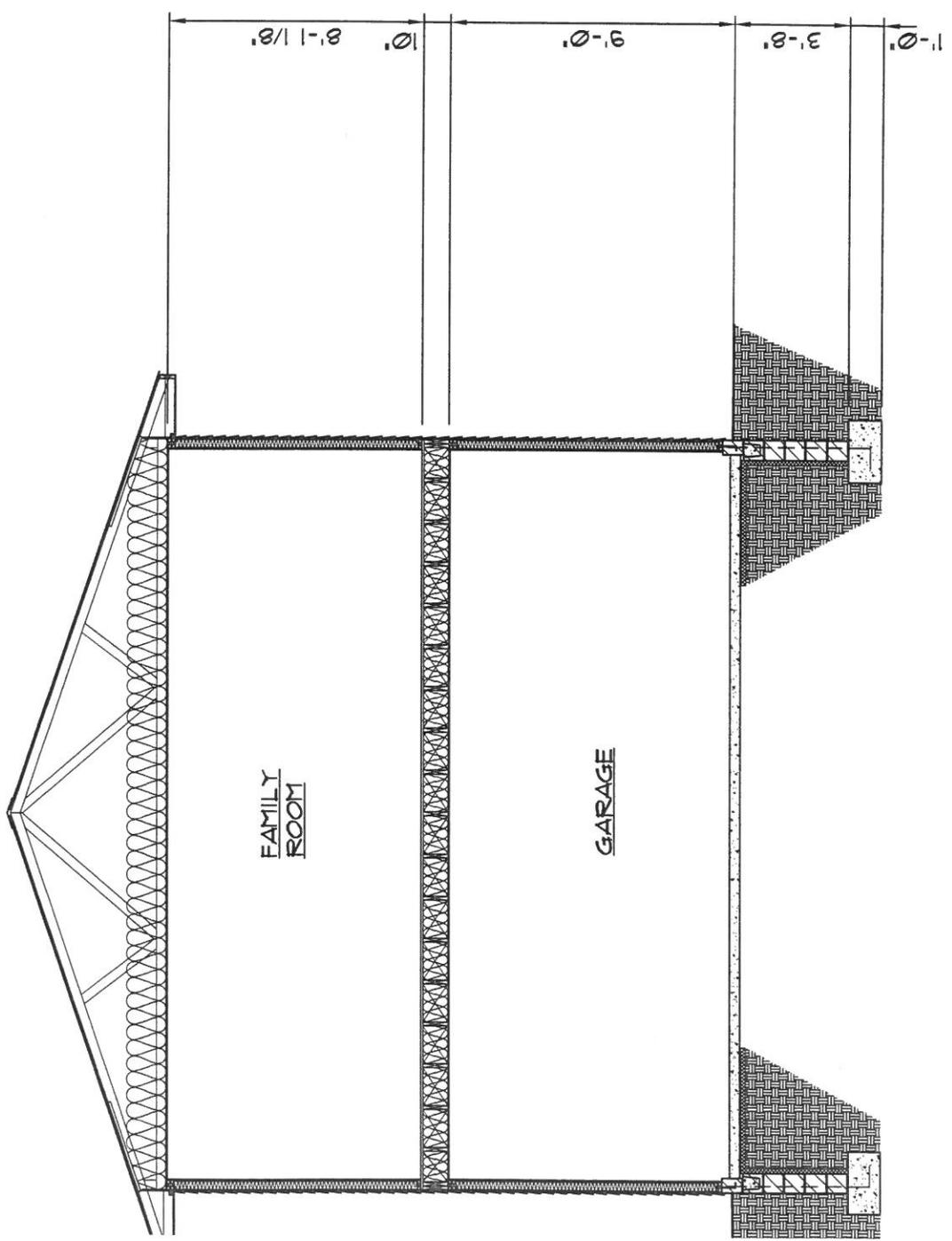
PLANS, ELEVATIONS, AND SECTIONS  
PREPARED BY:  
BRUCE P. PAULSON, AIA  
LICENSED MINNESOTA ARCHITECT  
NO. 20910



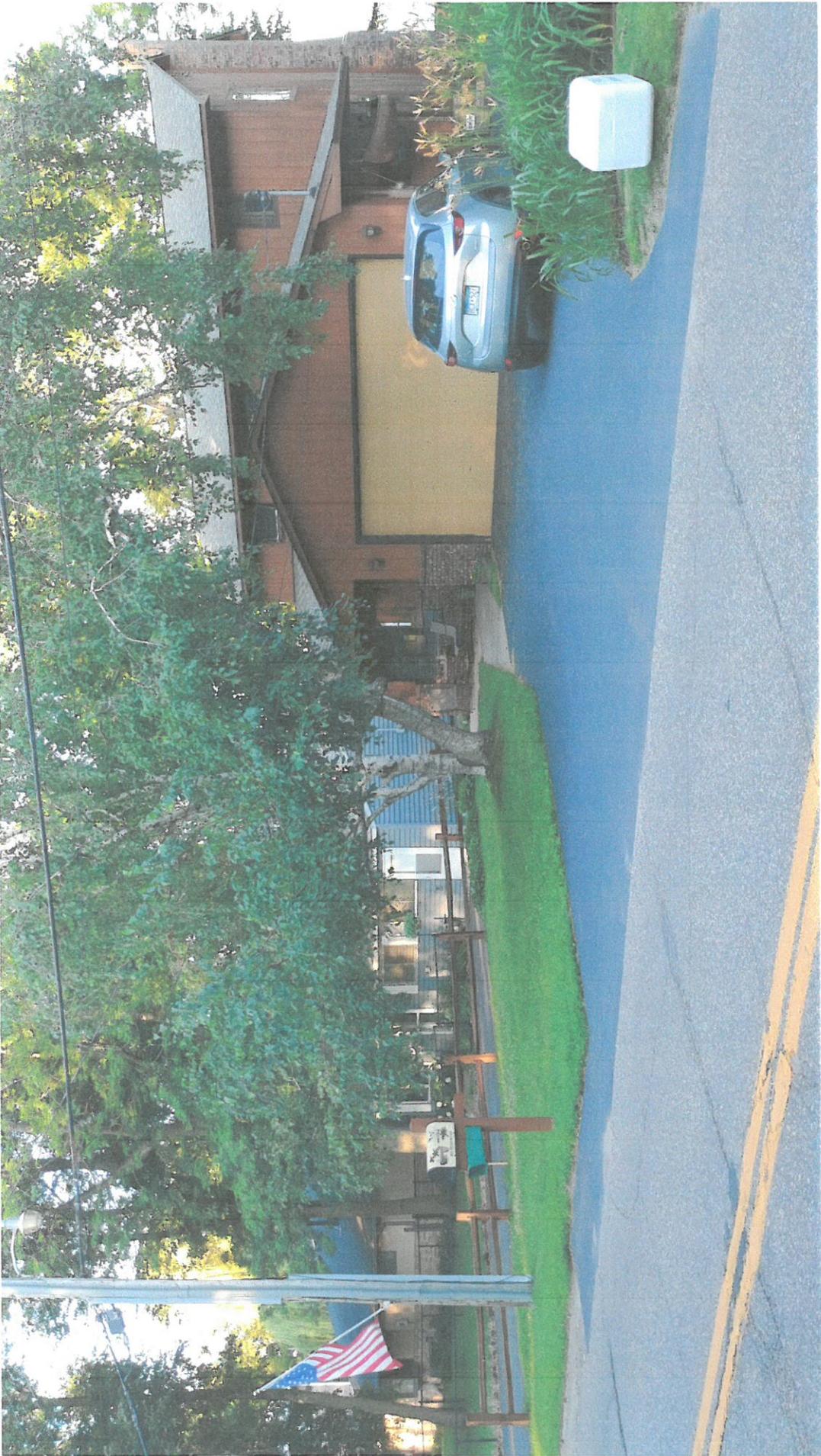
1 PROPOSED BUILDING SECTION LOOKING NORTH



PLANS, ELEVATIONS, AND SECTIONS PREPARED BY: BRUCE P. PAULSON, AIA LICENSED MINNESOTA ARCHITECT NO. 20910	SCHWARTZ RESIDENCE IMPROVEMENTS 5605 HUGO ROAD WHITE BEAR LAKE, MINNESOTA	PROPOSED BUILDING SECTION
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1 PROPOSED BUILDING SECTION LOOKING EAST





**5605 Hugo Road, WB Township MN**

***Variance Application Form and Supporting Materials  
for Proposed Structure and Landscape Changes***

***8/2/2018***

***Initial Submission***

# Table of Contents

- 1) **Proposed Structure and Landscape Changes**
- 2) **Precedence / Historical Variance Experience**
- 3) **Exhibit A: Impervious Surface Calculation and Comparison: Existing Structure vs. Proposed Structure**
- 4) **Exhibit B: Hugo Road Comparison of Lot Size / Living Area / Garage Area**
- 5) **Exhibit C: Current Survey of 5605 Hugo Road (performed by Tim Kytoen) including existing structures/hard surface**
- 6) **Exhibit D: Current Survey of 5605 Hugo Road (performed by Tim Kytoen) including placement of new structures and hard/perveous surfaces**
- 7) **Exhibit E: NOT USED**
- 8) **Exhibit F: Public Information and supporting materials for predecence**
- 9) **Exhibit G: White Bear Township Variance Application and Statement of Affected Property Owners**

## ***Precedence - Publically Available Information on Past Hugo Road (and Township) Variances***

In preparation for the application submission, we performed research using the publically available information for the residences on Hugo Road:

- 1) The public files located at the White Bear Township
- 2) The online information, maps and tools\ available on the official Ramsey County, MN website

**Note:** Due to the inconsistent standards in play across the various Survey's done for Hugo Road lots, comparisons were often hampered by missing / incorrect measurements and renderings of anchor points (e.g., Hugo Road Centerline vs. lot drawn as beginning at edge of road). We have included them where found to be valid, but, other examples of Garage placement on property and set backs currently in place exist but could not be used with confidence.

**Ordinance:** Garage can be no larger than 10% of lot size as measured in FT<sup>2</sup>  
(See copies of publically available information as support in **Exhibit F and Exhibit B** )

**Exhibit B** summarizes lot size to garage size ratio's:

- Nearly 60% of lots included in research (15...12 with garages currently) exceed the 10% of lot size ordinance for garage sizing limits.
- 42% of lots are within 5% of ordinance cap – we are proposing: 12.6% of total lot size.
- **Exhibit F9.3** provides precedence for a variance granted for 840 Square Foot garage for 5583 Hugo Road -- 215 square foot variance

**Ordinance:** Setback from Right of Way (Hugo Road) must be 35 feet

(See copies of publically available information as support in **Exhibit F** )

- Two lots south of 5605 Hugo Road, **5587 and 5599 (directly adjacent on south property line)** have garages that are closer to the right of way than we are requesting; both are larger lots presumably with room to have had further setback
- Please see **Exhibits F3.2 and F4** (copy of a survey of the 5599 property
- **Exhibit F5** cites set back accommodations made for lot 5587 due to "undersized lot"; at 6,047 square feet the lot is larger than that of 5605
- **Exhibit F6** cites a variance precedence granted for lot 5617 due to other lots being "closer to the right of way than requested"
- **Exhibits F7, F8 and F11** cite the requested set back variances that have been granted for numerous lots (list their addresses) with attention paid to undersized lots (like 5605)

**Ordinance:** Mandatory % of green space/pervious surface as specific percentage of the total lot size

(See copies of publically available information as support in **Exhibit F** as well as the impervious surface summary in **Exhibit A** and layout of plans in **Exhibit D** )

- With proposed removal/reduction of all tar and concrete and replacement with pavers, our proposed plan:
  - ~~Reduces~~ overall impervious surface area on the lot by 23%
  - ~~Reduces~~ total Impervious Surface Area / Total Lot Square Footage from 53% down to 41%
- **Exhibit F10.1** is an example of the many successful requests for variance to the expectations of this ordinance – we chose to take this opportunity to make a dramatic impact on 5605

## 5605 Hugo Road, WB Township MN

### *Proposed Structure and Landscape Changes*

#### Our Goals:

- Improve control of water flow via reduction of current footprint of impervious surface and added water management strategies to the property
- Have the footprint of the existing house remain unchanged
- Retain as much of the existing front yard as possible
- Add garage and additional future living space to bring our living space more in line with others and to maintain/increase property value over time

#### Proposed Structure and Landscape Changes

#### Existing House:

- *NOTE: No expansion or change to footprint of existing foundation/house*
- Shift Entry to North end of eastern facing edge of existing dwelling and attach gable over doorway
- Connect to new proposed 2 story garage structure directly to the house beginning on the southern end of the east facing edge of current dwelling

#### Proposed New Addition of Garage, Bonus Room and Paver Driveway:

- *NOTE: the current dwelling and structure does NOT have a garage*
- Proposed additional garage structure:
  - 24' (north/south) X 24' (east/west) 2 story garage and additional living space
  - running towards the road and parallel with southern edge of existing house structure
  - the 2nd story of the existing house will be extended eastward over the garage for additional living space accessible through the house
- The proposed garage will be 2 stories to include "bonus room" future living space
- The proposed garage structure will end approximately 39 feet from the existing road edge, providing ability to park 4 cars in driveway outside of garage
- The existing > 1,000+ Ft<sup>2</sup> of impervious tar driveway surface will be replaced with a smaller footprint of a combination of:
  - Grass: running along the southern edge of the new proposed garage and lot line
  - Fully guttered and controlled water flow to lake and to road for full dwelling and garage roof lines (NOTE: dwelling does NOT have gutters today)
- Current drainage issues on the North property line (water run off from Hugo Road) and South property line (neighbors house grade is higher and drains into 5605 crawl space) will be addressed with permanent water management strategies

#### Other Proposed Enhancements:

- Eliminate all concrete sidewalks
- Add paver sidewalk surfaces to front yard (from Garage to revised house front entry), from revised front entry to deck on north yard and landing for lakeside house frontage
- Eliminate the rock landscape on the north property line with grass and paver walkway
- Tar driveway of approach 24 X 39 going eastward in front of the garage to road edge
- Permeable surface on north side of eastern edge of driveway of approximately 21' X 20' for additional parking.

# Exhibit A

## Impervious Surface Calculation and Comparison: Existing Structure vs. Proposed Structure

SOURCE: Survey performed by Mathew T Kytonen

	Existing Structure	Proposed Structure	(Reduction) To Increase Existing Structure
<u>Impervious Surfaces Footprint (Ft<sup>2</sup>):</u>			
House	1,367	1,367	-
Garage	-	576	576
Revised Front Entry Gable	-	28	28
<b>Total Dwelling</b>	<b>1,367</b>	<b>1,943</b>	<b>576</b>
<u>Water Control / Gutter System on Dwellings</u>			
	NO	YES	YES
Tar Driveway Within Lot Line	760	-	(760)
Tar Driveway From Lot Line/Garage to Road Edge	420	936	516
<b>Total Driveway Surface</b>	<b>1,180</b>	<b>936</b>	<b>(244)</b>
<b>Total Sidewalk</b>	<b>352</b>	<b>-</b>	<b>(352)</b>
<b>Total Impervious Surface Ft<sup>2</sup> - Before Semi-Impervious Surfaces:</b>	<b>2,899</b>	<b>2,879</b>	<b>(20)</b>
<u>Semi-Impervious Surfaces Footprint (Ft<sup>2</sup>):</u>			
Rocks (North Side of House)	195	-	-
Additional Parking w/ Permeable Surface	-	400	400
Paver Walkways (Front Yard / North Yard)	-	294	294
3 Foot Paver landing across lake side of the house	-	73	73
<b>Subtotal</b>	<b>195</b>	<b>767</b>	<b>572</b>
Conversion Factor	0%	0%	-
<b>Total Semi-Impervious Surface Footprint</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Impervious + Semi-Impervious Surface Ft<sup>2</sup>:</b>	<b>2,899</b>	<b>2,879</b>	<b>(20)</b>
<b>Current Lot Size To OHWL (Ft<sup>2</sup>):</b>	<b>5,480</b>	<b>5,480</b>	<b>0%</b>
<b>Total Impervious + Semi-Impervious Surface Ft<sup>2</sup> %:</b>	<b>53%</b>	<b>53%</b>	<b>0%</b>

# Exhibit B

## Hugo Road Comparison of Lot Size / Living Area / Garage Area

Source: Ramsey County MapRamsey Interactive Map  
<https://maps.co.ramsey.mn.us/HTML5/View.cfm?index.html?configBase=https://maps.co.ramsey.mn.us/Geosortex/Essentials/RES/1/sites/MapRamsey/Viewers/MapRamsey/virtualdirectory/Resources/Config/Default>  
 Comparison of 15 lots: from 5583 in the south to 5669 in the north

Address	Lot Sizes	Living Area Sizes	Garage Sizes	Living Area Percentage of Lot Size <sup>(1)</sup>	Garage FT <sup>2</sup> / Lot Size (Counting Double Lots As 1 Lot In Calculation)	Garage FT <sup>2</sup> / Lot Size (Counting Double Lots As 2 Lots In Calculation)	Average
1 5669	2,613.6	480.00	No Garage	18.37%			
2 5661	5,227.2	844.00	520.00	16.15%	9.95%	9.95%	9.95%
3 5657	3,049.2	2,542.00	616.00	83.37%	20.20%	20.20%	20.20%
4 5653	2,613.6	1,652.00	420.00	63.21%	16.07%	16.07%	16.07%
5 5651	3,920.4	704.00	No Garage	17.96%			
6 5641	5,227.2	1,466.00	528.00	28.05%	10.10%	10.10%	10.10%
7 5633	9,147.6	2,212.00	476.00	24.18%	5.20%	5.20%	5.20%
8 5623*	11,761.2	2,326.00	704.00	19.78%	5.99%	11.97%	8.98%
9 5617	6,098.4	2,828.00	768.00	46.37%	12.59%	12.59%	12.59%
10 5611	4,791.6	2,272.00	480.00	47.42%	10.02%	10.02%	10.02%
11 5605	5,270.8	1,776.00	No Garage	33.70%			
12 5599*	12,196.8	2,426.00	864.00	19.89%	7.08%	14.17%	10.63%
13 5593	6,098.4	2,604.00	730.00	42.70%	11.97%	11.97%	11.97%
14 5587	6,098.4	2,478.00	440.00	40.63%	7.22%	7.22%	7.22%
15 5583	6,098.4	4,448.00	840.00	72.94%	13.77%	13.77%	13.77%
<b>Average</b>	<b>6,014.2</b>	<b>2,070.53</b>	<b>615.50</b>	<b>38.31%</b>	<b>10.85%</b>	<b>11.94%</b>	<b>11.39%</b>
5605 Hugo Rd. w/ Proposed Garage	5,270.8	1,776.00	576.00	***	10.93%	10.93%	10.93%
Variance From Average	743.4	294.53	39.50	4.62%	-0.08%	1.01%	0.46%

Garage FT <sup>2</sup> / Lot Size (Counting Double Lots As 1 Lot In Calculation)	Garage FT <sup>2</sup> / Lot Size (Counting Double Lots As 2 Lots In Calculation)	Average
42%	25%	33%
42%	58%	50%
17%	17%	17%
<b>58%</b>	<b>75%</b>	<b>62%</b>

**Summary of Above Findings Regarding 10% of Lot Size Max Garage Ordinance:**  
 % of Lots that comply with the 10% of Lot Size Max Garage Ordinance <sup>(1)</sup>:  
 % of Lots within a 5% variance of the 10% of Lot Size Max Garage Ordinance <sup>(1)</sup>:  
 % of Lots greater than a 5% variance of the 10% of Lot Size Max Garage Ordinance <sup>(1)</sup>:  
**TOTAL % of Lots That EXCEED the 10% Variance:**

**NOTE:** At **33.70%** of total lot size, the current living area square feet as a % of total lot size for 5605 ranks it in the middle of the 15 lots in the analysis -- 5% lower than the average.

The planned additional living space brings 5605 Hugo Road more in line with its neighbors with similar lot sizes.

\*Denotes address with "double"/oversized lots  
 \*\*Includes Foundation AND Multiple Levels If Applicable  
 \*\*\* FT<sup>2</sup> of Proposed Garage for 5605 uses entire foundation 24 X 24  
<sup>(1)</sup> Calculation EXCLUDES lots that currently have no garage (i.e., total used for % denominator is 12)

Garage % of Lot Size
0.00% = Blue
0.01% - 10.00% = Green
10.00% - 15.00% = Yellow



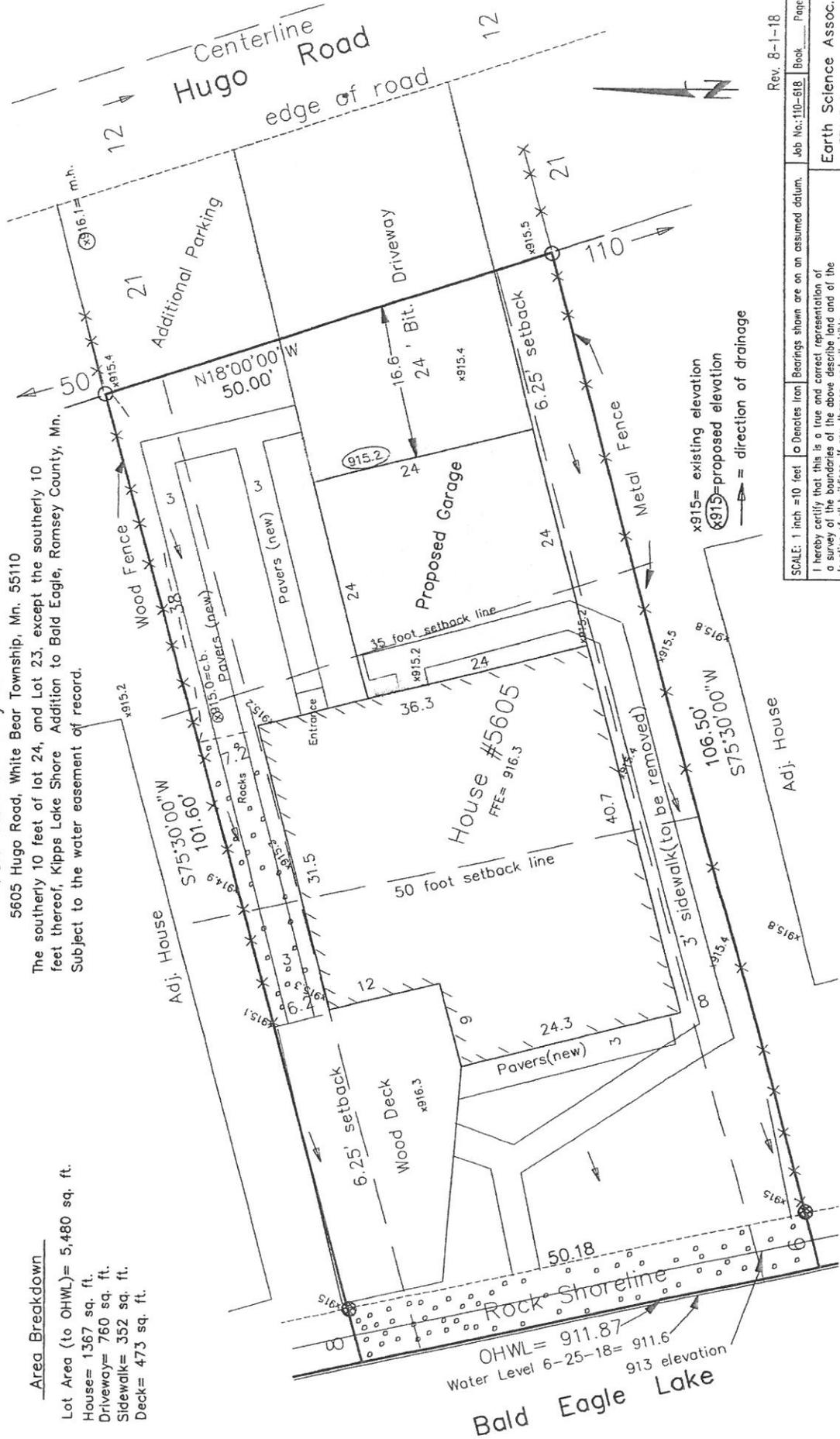
EXHIBIT (D)

□ = Garage (11'x14's)  
 □ = Driveway (Outlined)

# Certificate of Survey

For: John & Kathy Schwartz  
 5605 Hugo Road, White Bear Township, Mn. 55110  
 The southerly 10 feet of lot 24, and Lot 23, except the southerly 10 feet thereof, Kipps Lake Shore Addition to Bald Eagle, Ramsey County, Mn.  
 Subject to the water easement of record.

Area Breakdown  
 Lot Area (to OHWL) = 5,480 sq. ft.  
 House = 1367 sq. ft.  
 Driveway = 760 sq. ft.  
 Sidewalk = 352 sq. ft.  
 Deck = 473 sq. ft.



SCALE: 1 inch = 10 feet  
 ● Denotes Iron  
 ○ Denotes Iron  
 Bearings shown are on an assumed datum.

I hereby certify that this is a true and correct representation of a survey of the boundaries of the above describe land and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land.

Dated this 1st day of Aug. 2018 By: M.T. Krieger  
 Matthew T. Krieger  
 Minn. Reg. No. 16213

Earth Science Assoc.  
 37445 Grand Ave.  
 North Branch Mn. 55056  
 651-332-9976

● Denotes Iron Found



**WHITE BEAR  
TOWNSHIP**

1858  
RAMSEY COUNTY  
MINNESOTA

*June*  
**F-1**

Board of Supervisors  
**ROBERT J. WEISENBURGER, Chairman**  
**RICHARD A. SAND**  
**LINDA J. FORD**

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110  
**612/429-5827**  
**FAX 612/426-2258**

**MINUTES  
PLANNING COMMISSION  
MAY 28, 1998**

The meeting was called to order at 7:12 p.m.

**Present:** Metcalf; Marquardt, Moeller, Patrick and Terry; Town Board Liaison: Sand; Planner: Riedesel.

**Absent:** Prudhon, with prior notice.

**APPROVAL OF APRIL 23, 1998 MINUTES:** Metcalf moved to approve the Minutes of April 23, 1998, as submitted. Terry seconded. Ayes all.

**APPROVAL OF AGENDA (Additions/Deletions):** Moeller moved to approve the Agenda, with the following amendment: Table Consent Agenda Item 5D) Bellaire Dock Association - Request for Two 1 1/2' Side Yard Setback Variances to Install 3' Wide Dock - Approximately 2597 South Shore Blvd. (20' Easement). Metcalf seconded. Ayes all.

**WELCOME AND OATH OF OFFICE:** Patrick administered the Oath of Office to new Planning Commission member, Ron Marquardt. Introductions were made, and Marquardt was welcomed to the Commission.

Riedesel noted that M. Ann Buck, who was slated to take the Oath of Office, tendered her resignation verbally, citing a busy schedule, which would affect her meeting participation.

**CONSENT AGENDA:** Moeller moved to approve the Consent Agenda, as follows: 5A) Paul and Sherri Chapin Request to Exceed 1,000 Square Foot Garage Size Requirement - 5223 West Bald Eagle Boulevard; 5B) Bill Hartman - Request for 9' Front Yard Setback Variance and 1-1/2' Side Yard Setback Variance to Construct Second Story Addition - 5790 Lake Avenue; 5C) James and Donna Commander - Request for 16'- 6" Lakeshore Setback Variance and 24'- 6" Front Yard (right-of-way side) to Construct 4' Addition - 5623 Hugo Road; 5D) Table Bellaire Dock Association - Request for Two 1 1/2' Side Yard Setback Variances to Install 8' Wide Dock - Approximately 2597 South Shore Blvd. (20' Easement); 5E) Jason and Sarah Kramer - Request for 14' Front Yard Setback Variance to Construct Front

*file*  
*file*  
*file*  
*file + file*  
*file*



# CERTIFICATE OF SURVEY

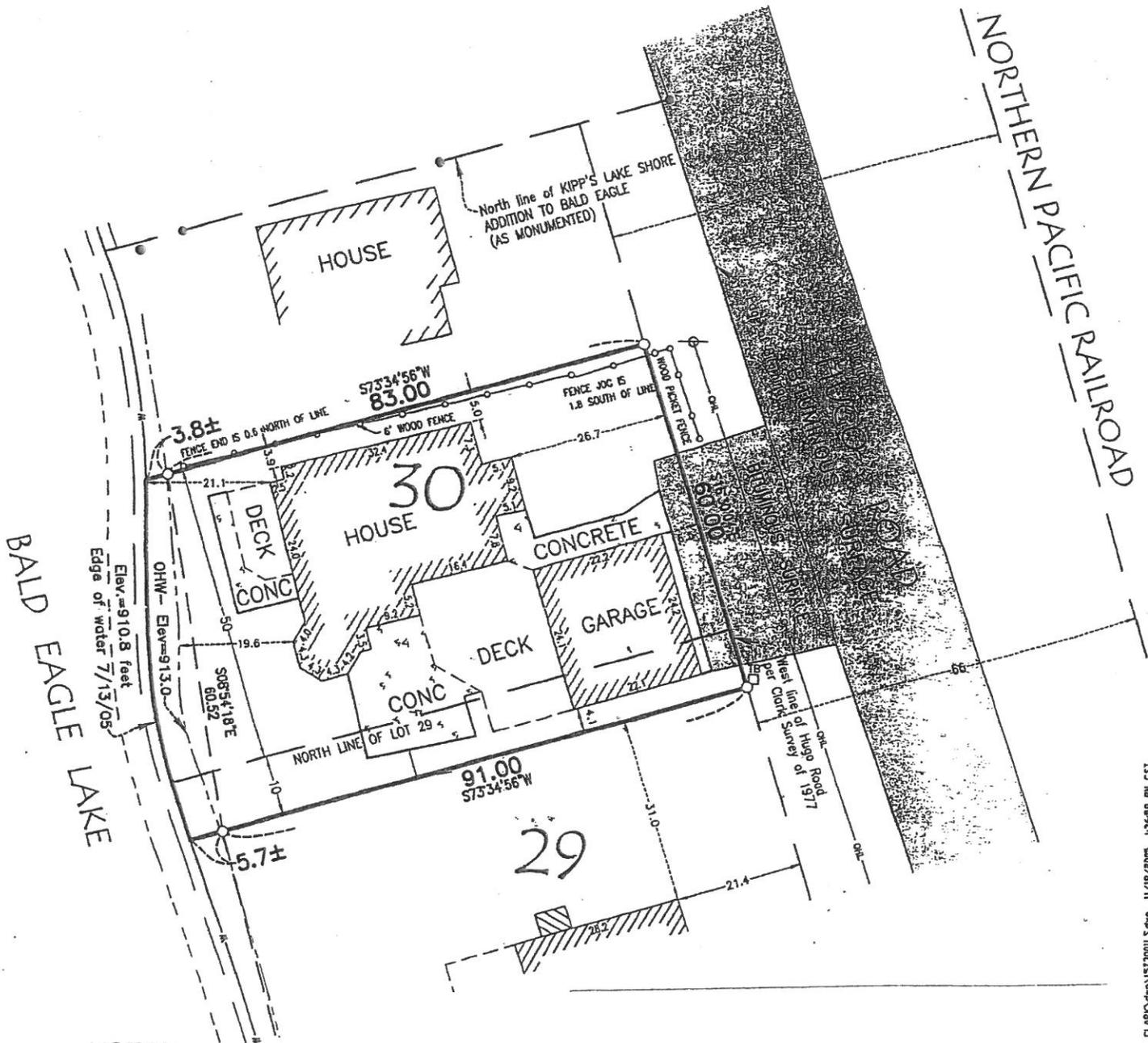
For: **MARE MORTEK**  
**564 HUGO ROAD**  
**WHITE BEAR TOWNSHIP, MN 55110**



F-2

**DESCRIPTION:**

The Northwesternly 10.00 feet of Lot 29 and the Southeastery 50.00 feet of Lot 30, KIPP'S LAKE SHORE ADDITION TO BALD EAGLE, Ramsey County, Minnesota.

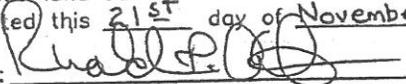


**NOTES:**

- Denotes iron monument found
  - Denotes iron monument set
  - ⊠ Denotes Telephone Box
  - ⊕ Denotes Power pole
  - OHL— Denotes Overhead Line
- Elevations are on NGVD 1929

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the state of Minnesota.

Dated this 21<sup>st</sup> day of November, 2005.

By: 

Ronald P. Alwin, Land Surveyor  
Minnesota License No. 17765

**METRO LAND SURVEYING & ENGINEERING**

248 APOLLO DRIVE  
LINO LAKES, MINNESOTA 55014

TEL. (763) 398-6830 FAX (763) 398-2466

EMAIL: survey@metrois.com

Job No. 1573.001

Scale: 1"=20'

Drawn by: AJ

City WHITE BEAR TOWNSHIP

Jungkunz moved to receive the report of Planner Short relating to the December 1, 1988, Planning Commission meeting. Sand seconded. Ayes all.

Jungkunz moved to authorize the expenditure of \$440 to replace the carpet for the Town Planner's office. Sand seconded. Ayes all.

Sand moved to table agenda item 6.c.2. relating to the Town Commissions meeting to the end of the meeting. Jungkunz seconded. Ayes all.

Sand moved to table the request of Edwin Timmers to later in the meeting. Jungkunz seconded. Ayes all.

Sand moved to table the Permitted Use Standards request for Schwing-America to later in the meeting. Jungkunz seconded. Ayes all.

Robert Hamilton, 5837 Hobe Lane, appeared to report on the shed located at his property and stated it had been moved. The Board directed the Code Enforcement Officer to confirm same.

Sand moved to table the Ness property drainage issue to later in the meeting. Jungkunz seconded. Ayes all.

Mary Ayde of Lake Sanitation appeared to discuss the Ramsey County Household Hazardous Waste Program and how White Bear Township could participate with an ongoing means for residents to dispose of household quantities of hazardous waste by establishing one semi-permanent collection site on a trial basis. Jungkunz moved the authorization of the Clerk-Treasurer to proceed with the proposal presented by Mary Ayde. Sand seconded. Ayes all.

Jungkunz moved to authorize the Attorney to draft an anti-scavenger ordinance relating to recycling. Sand seconded. Ayes all.

The Engineer submitted preliminary cost estimates for the Timber Hills Improvements project based on the plans and specifications and stated the plans and specs would be ready for review at the December 20th meeting. The Board felt the project needs further consideration by both the Town and Timber Hills residents and directed the Clerk to draft an agenda relating to the project for the December 20th meeting and to advise Timber Hills residents by letter.

Sand moved to take off the table the request of Edwin Timmers. Jungkunz seconded. Ayes all.

Planner Short reviewed the request of Edwin Timmers, 5599 Hugo Road, for three variances: a 25' front yard, a 5' side yard variance and a 45' lakeshore setback variance for a home addition. The Board discussed the objection made by Mr. Timmer's neighbor, Mr. Strain, and Planner Short stated Mr. Timmers had modified his plan and felt Mr. Timmers had met the needs of

satisfying the neighbor's concerns. The Board directed the Planner to contact Mr. Strain advising him of the Board's action. Sand moved, based upon Planning Commission recommendation, to grant a variance to Mr. Timmers at 5599 Hugo Road for the following: a 25' setback variance off of Hugo Road, a 5' setback variance on the south property line (both variances for the garage) and a 43' setback variance off of the lake, the reason being it is an existing lot of record on Hugo Road and that because of the lot configuration as it relates to the depth, it has a greater setback than the neighboring property owners and to direct the Planner to contact the neighbor to the North to verify his concurrence with the proposal and that the proposal appears to satisfy the neighbor to the North and that the Board will discuss this matter further if there is a conflict with the neighbor. Jungkunz seconded. Ayes all.

Sand moved to take the Ness property drainage issue off the table. Jungkunz seconded. Ayes all.

Elizabeth Ness, 5395 Eagle Street, appeared to discuss the drainage problem on her property and adjoining properties and her request for a solution due to her property being sold. The Board discussed the problems and possible solutions to the drainage problem with Ms. Ness, Mr. Lindbloom and Mr. Chapin and other neighbors present at the meeting. The Engineer reviewed his report of December 2, 1988, submitted at the meeting. The Board directed the Engineer and Planner to review the properties in question relating to drainage improvements and to submit reports at the December 20 meeting.

Sand moved to take off the table the Schwing-America matter. Jungkunz seconded. Ayes all.

Clayton Anderson of Steel Structures, contractor for Schwing-America, appeared to request approval of the Permitted Use Standards for the construction of a new building north of Schwing-America's site and submitted a parking layout and master parking plan of the site as requested by the Planning Commission at their December 1st meeting. Planner Short reviewed the recommendations of the Planning Commission. Sand moved to grant concept approval to the Schwing-America improvement and grant a building permit for construction of a 20,440 sq. foot building on the property. Jungkunz seconded. Ayes all. Sand moved to direct the Planner to report back in 30 days relating to the agreement as to landscaping and parking and development of the overall site. Weisenburger seconded. Ayes all.

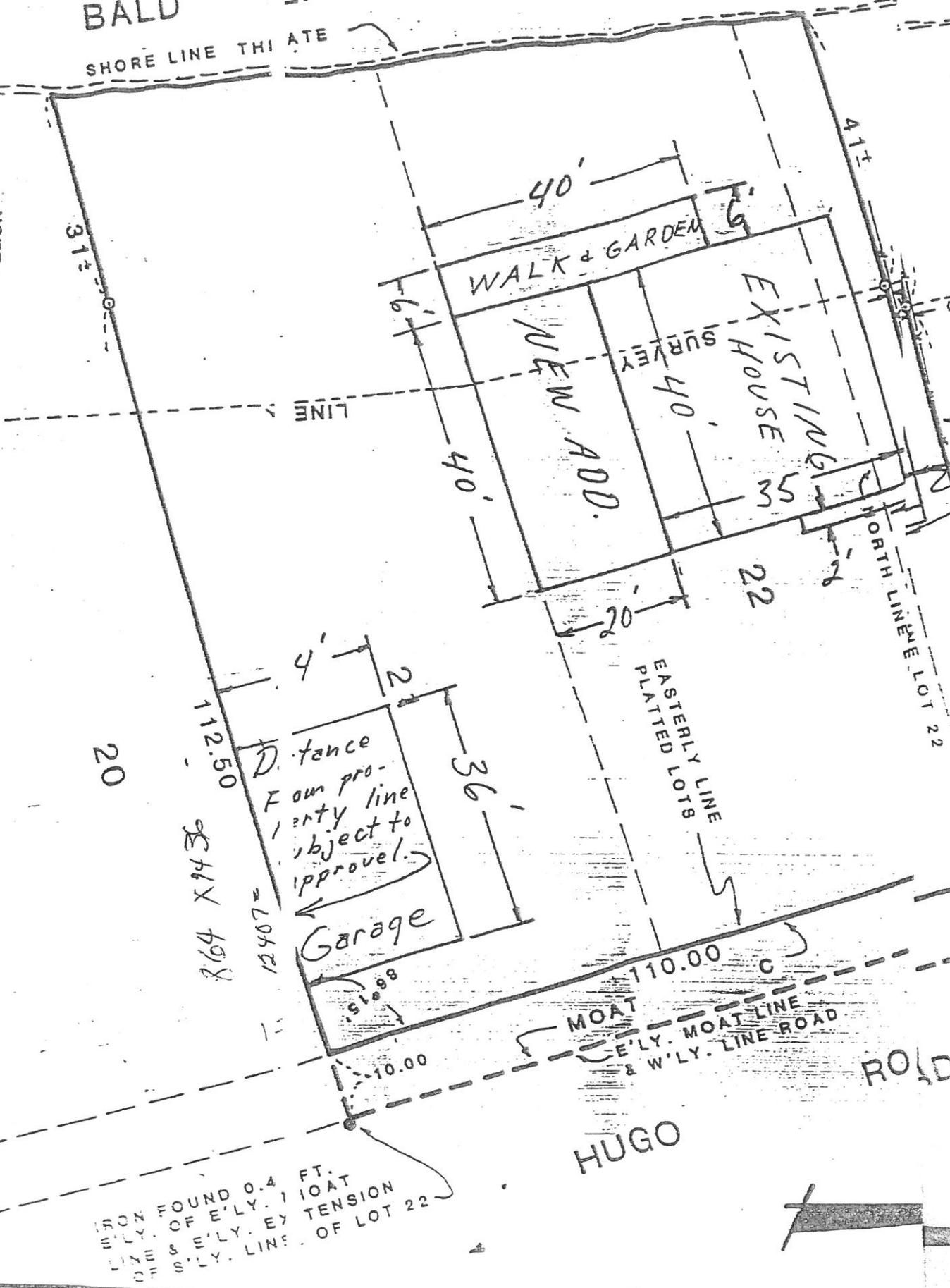
Sand moved to approve the installation of street lights on Pioneer Lane pursuant to the request set out in the petition. Jungkunz seconded. Ayes all.

Sand moved to approve the variance extension request of Jeff Johnson, 1969 Stillwater Street, to June 1, 1989, based upon the agreement with Mr. Johnson that the exterior of his home will be totally completed by June 1, 1989. Jungkunz seconded. Ayes all.

BALD EAGLE LAKE

SHORE LINE THIRTE

NOTE:  
Occupation lines appear to run to Easterly line of Moat C. Ramsey County claims Moat for County ditch. Easement should be acquired across ditch for ingress & egress to inner road.



MOAT FOUND 0.4 FT. W'LY. OF E'LY. MOAT LINE & E'LY. BY TENSION OF S'LY. LINE OF LOT 22

HUGO ROAD



5587 Hugo Road

F-5

NEW BUSINESS CONT:

Wm. Lipschultz - Mample was concerned with accessibility for fire fighting equipment. Mr. Lipschultz stated he will remove the existing fence and shrubs to allow access as far as the garage.

Weber moved, (using the 60% factor for undersized lots), to recommend to the Planning Commission to grant a 2' side yard variance for construction of a garage at 2525 South Shore Blvd., based on an undersized lot, consistency with the neighborhood and the existing garage foundation. Mample seconded. Ayes all.

JUDY CARNEY: Ms. Carney is requesting a side yard variance for a garage addition for storage purposes at 5587 Hugo Road. The lot is 50' wide and the current garage is located 2 feet from the property line.

Mample moved to recommend to the Planning Commission to approve the 4' side lot variance request (using the 60% factor), for a garage addition at 5587 Hugo Road, based on an undersized lot, neighborhood consistency and the existing garage. Weber seconded. Ayes all. It was noted that Ms. Carney should also obtain a letter of acknowledgement from the south neighbor.

RICH & JACKIE DUTCHER: The Dutchers are requesting a side lot variance for construction of a garage at 1725 E. County Road H2. The lot is 50' wide. The adjacent lot is unbuildable and owned by W.B. Township.

Weber moved to recommend to the Town Board to grant a 4½' side lot variance, (using the 60% factor), to within 1½ feet of the side property line, for construction of a garage at 1725 E. County Road H2, based on an undersized lot and noting this is the only area on the lot to place the garage, and the adjacent lot is unbuildable. Mample seconded. Ayes all.

DONALD HUEMOELLER: Mr. Huemoeller is requesting a 5' frontage variance to split the lot at 1607 Whitaker to create a 75' lot. He feels the existing house is located too far over and for future purposes, it would work out better to have more property between the houses.

Mample moved to recommend to the Planning Commission to allow the lot split at 1607 Whitaker to divide an 80' parcel off his property and to grant a 2½' side yard variance for the existing house and the owner will retain a 2½' easement to the east of his property on lot "B" so as to maintain distance between the buildings. Weber seconded. Ayes all.

JUDITH A. MILTON: Ms. Milton is requesting a variance to split Lot C from Lot A to create an 87' corner lot at East County Line and South Shore Boulevard (4101 E. County Line Rd). (The minimum lot width for corner lots is 105'.)

Weber questioned the buildability of the lot, noting it was 18' - 20' lower than the street. He also questioned the drainage effect on the neighbor to the west. A grading and drainage plan should be submitted.

It was noted that sewer and water is not available to the lot in question and the sewer for 4101 E. County Line is provided through an easement on the property at 2732 So. Shore Blvd.

The Variance Board discussed the Town's liability if they allowed the lot split and the lot was not buildable. Would the Town be "putting their stamp of approval" on the lot by allowing the split?

Mample moved to table the Milton request for a variance and lot split at



F-61

Board of Supervisors  
ROBERT J. WEISENBURGER, *Chairman*  
RICHARD A. SAND  
LINDA J. FORD

**WHITE BEAR  
TOWNSHIP**  
1858  
RAMSEY COUNTY  
MINNESOTA

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN  
612/429-5827  
FAX 612/426-2258

5617

**MINUTES  
VARIANCE BOARD MEETING  
MAY 17, 1995**

The meeting was called to order at 3:07 p.m.

Present: Members: Short, Weber, Mample; Planner: Riedesel.

The Minutes of April 19, 1995, were approved as submitted.

The Agenda was approved as submitted.

*5617 Hugo Road*

LINDA CHABOT/BRYAN PETERSON - REQUEST FOR 18' FRONT YARD SETBACK VARIANCE FOR GARAGE ADDITION AT ~~5627~~ HUGO ROAD: Riedesel summarized the request to add a two car garage on to the east side of the home. As requested, it will encroach 17' into the minimum front yard setback (35'). It was also noted during the presentation that a second story will be added to the home. It will not encroach any closer to the lot lines or lake, however the existing home encroaches into the minimum lakeshore setback (50') and therefore requires approval of a variance.

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Short noted that the property adjacent to the north has a concrete block accessory building which encroaches into the minimum front yard setback area and is more of a non-conformity than the structure which is proposed. In addition, structures located 3 lots to the north and 3 lots to the south are located closer to the right-of-way than the proposed structure.

Mample noted that the garage, as proposed, is a basic two car garage and not extraordinarily large.

Mample moved to recommend to the Planning Commission to approve an 18' front yard setback variance and a 26' lakeshore setback variance to allow construction of a new garage and a second story addition which will not encroach any closer to the lake than the existing structure, and that the setback requested for the garage will result in a setback which is greater than the setback of the adjacent concrete block accessory building, and that three of the closest six properties have structures which are located closer to the right-of-way than the garage which the applicants are requesting and noting the history for approving variances along Hugo Road. Short seconded. Ayes all.



5583  
6098.4 10T F-9

Board of Supervisors  
ROBERT J. WEISENBURGER, *Chairman*  
RICHARD A. SAND  
LINDA J. FORD

**WHITE BEAR  
TOWNSHIP**  
1858  
RAMSEY COUNTY  
MINNESOTA

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN  
651/429-5827  
FAX 651/426-2258

**MINUTES  
PLANNING COMMISSION MEETING  
MAY 27, 1999**

The meeting was called to order at 7:02 p.m.

Present: Artner, Bernhardt, Marquardt, Metcalf, Moeller, Patrick and Prudhon; Town Board Liaison: Sand; Planner: Riedesel.

**APPROVAL OF MINUTES OF APRIL 22, 1999:** Marquardt moved to approve the Minutes of April 22, 1999 as submitted. Artner seconded. Ayes: Marquardt, Artner, Bernhardt, Metcalf, Moeller and Patrick. Abstain: Prudhon.

**APPROVAL OF AGENDA (Additions/Deletions):** Bernhardt moved to approve the Agenda as submitted. Metcalf seconded. Ayes all.

**CONSENT AGENDA:** Moeller moved to approve the Consent Agenda as follows: 4A) Approve Jim Joslyn Request for 2' Rear Yard Setback Variance to allow Garage Addition - 1736 Stillwater Street; 4B) Approve Thomas Burke Request for 3-1/2' Side Yard Setback Variance to Allow Deck Construction - 2126 Park Avenue; 4D) Approve Matt and Debbie Walczak Request for 16'11" Wetland Setback Variance to Allow 3-Season Porch and Deck Construction - 5937 Polar Bear Lane. Bernhardt seconded. Ayes: Moeller, Bernhardt, Metcalf, Artner, Patrick and Prudhon. Naye: Marquardt.

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**APPROVE SCOTT FUCHS REQUEST FOR 215 SQUARE FOOT VARIANCE FOR OVERSIZED GARAGE AND 3'3" SIDE YARD AND 26' LAKESHORE SETBACK VARIANCES TO ALLOW WALKWAY AND DECK CONSTRUCTION - 5583 HUGO ROAD:** Riedesel reviewed the request for a 3'3" side yard setback variance to allow reconstruction of an existing deck and sidewalk 3' from the side lot line. The applicant is also requesting approval of a 26' lakeshore setback variance to allow construction of a deck 24' from Bald Eagle Lake.

The side yard setback variance for the walkway is requested to replace an existing deck and walkway which is 1' from the side lot line. The new walkway is proposed to be 3' from the lot line, 2' further from the lot line than the current

F-9.2

structure. The new structure is proposed to increase the setback, decreasing the non-conformity. Approving this variance is in keeping with the Town's practice of approving variances when a non-conformity is decreased.

The lakeshore setback variance is requested to allow construction of a new deck 24' from the 100 year high water elevation of Bald Eagle Lake.

Several lakeshore setback variances have been approved for properties along Hugo Road, including a 24' lakeshore setback variance for the adjacent property. Other lakeshore setback variances include:

- 5543 Hugo Road - 13' lakeshore setback variance;
- 5599 Hugo Road - 43' lakeshore setback variance (approved 1988 a 75' setback requirement at that time);
- 5611 Hugo Road - 62' lakeshore setback variance (approved 1986 a 75' setback requirement at that time);
- 5661 Hugo Road - 12' lakeshore setback variance (approved in 1986); and
- 5669 Hugo Road - 40' lakeshore setback variance (75' setback requirement).

The setback of the proposed deck will be in line with decks on either side of the applicant's property. The Town has used this rationale in the past to approve lakeshore setback variances. This makes sense as it creates a consistent setback for structures on the lake.

Patrick expressed concern regarding reduced setbacks from the lake. Other comments included:

- It would reduce the non-conformity
- The deck alignment will be the same as other decks
- Staff and Building Inspector/Code Enforcement Office did a site visit and determined that the setback request conformed to Town policy.

Riedesel noted that the Variance Board reviewed the requests and recommends approval.

Based on Variance Board and staff recommendation, Marquardt moved to recommend to the Town Board to approve the 3'3" side yard setback variance as requested, at 5583 Hugo Road, since the proposed deck and walkway will be narrower than the existing deck to allow access to the lake without encroaching on neighbor's property, will be set back further from the lot line than the existing structure and is in keeping with the Town's practice of approving variances when a new structure replaces a non-conforming structure, and provided that the new structure is set back further from the lot line than the non-conforming structure.

K-9.3

Artner seconded. Ayes: Marquardt, Artner, Metcalf, Bernhardt and Prudhon.  
Nays: Patrick and Moeller.

Based on Variance Board and staff recommendation, Marquardt moved to recommend to the Town Board to approve the 26' lakeshore setback variance at 5583 Hugo Road, since the proposed deck setback is consistent with structures on adjacent properties, will be further from the lake than the setback of decks on either side, is consistent with other variances approved, and meets the standards set forth by Ordinance No. 35 for approving a variance. Artner seconded. Ayes: Marquardt, Artner, Metcalf, Bernhardt, Moeller and Prudhon.  
Naye: Patrick.

Based on Variance Board and staff recommendation, Marquardt moved to recommend to the Town Board to approve the 215 sq. ft. variance, at 5583 Hugo Road, to allow the applicant to construct an 840 sq. ft garage since the ordinance is overly restrictive for small lots, recognizing that it is a tuck-under garage which makes the depth of the garage indistinguishable from the rest of the house from the exterior. Artner seconded. Ayes all.

LINDA CHABOT - REQUEST FOR NON-CONFORMING USE PERMIT FOR RESIDENTIAL DWELLING UNIT IN B-2 ZONE - 5960 NORTH HIGHWAY 61 (BALD EAGLE STATION): Riedesel noted that the Planning Commission recently reviewed a request for a Zoning Ordinance amendment to permit a dwelling unit in combination with a business use in the B-2 Zoning District.

fo

The Planning Commission and Town Board feel that the dwelling unit should be considered a non-conforming use rather than a Conditional Use in the B-2 District. The Planning Commission did not take formal action on the Non-Conforming Use, however.

A Public Hearing for the Non-Conforming Use Permit is scheduled for June 7, 1999. The Town Board also directed the Planning Commission to review the Non-Conforming Use Permit and make a recommendation.

Patrick moved to recommend to the Town Board to approve a Non-Conforming Use Permit in the B-2 Zone, for the residential portion of the Bald Eagle Station for a period of five years. Subsequent renewal of the permit shall meet the standards set forth by Section 7-13.1 of Ordinance No. 35. Bernhardt seconded. Ayes all.

RICHARD MATNER - REQUEST FOR SPECIAL HOME OCCUPATION PERMIT - 5932 HOBE LANE: Riedesel reviewed the request for a Special Home Occupation Permit, noting that the applicant wants to operate a part of his

file

TB

F10-1

## MEMORANDUM

TO: VARIANCE BOARD  
FROM: TOM RIEDESEL  
DATE: MARCH 10, 2000 – UPDATED 3/22/00

SUBJECT: NEW HOME CONSTRUCTION

REQUESTS: 1.8' SIDE SETBACK VARIANCE; 42' LAKESHORE  
SETBACK AND 15' RIGHT-OF-WAY SETBACK  
VARIANCE, 9% GREEN AREA VARIANCE

APPLICANTS: MICHELLE L'ABBE & DAVID BERG  
LOCATION: 5657 HUGO ROAD

The applicants are requesting approval of variances to allow reconstruction of their home at 5657 Hugo Road. The property is 5,977 square feet in area and is 80' wide at the right-of-way. The existing home and garage are 7.7' from the side lot line on the north side, 19.6' from the road right-of-way on the east side, 13.5' on the south side and 3.7' from the 100 year high water elevation of the lake. The new home and garage is proposed to be 9.5' from the north lot line, 19' from the right-of-way, 10' from the south lot line and 8' from the 100 year high water elevation of the lake.

The approvals requested include a 1.8' side yard setback variance, a 42' lakeshore setback variance, 15' right-of-way setback variance and 9% green area variance.

The applicants home is proposed to have more square footage than the existing home, but has been placed on the lot so it will be further from the lake and the north (side) lot line than the existing home. The front of the home facing the Hugo Road right-of-way is proposed to be set back between 20' and 25.4' from the right-of-way. This is further from the right-of-way than the closest point of the existing home which is 19.6'. The garage is at an angle and the garage door is proposed to be 21.7' from the right-of-way at its closest point.

The home and garage has been designed so that non-conforming setbacks have been reduced.

Historically, the Town has approved setback variances for new structures which replace existing structures as long as the new structure is setback further from the lot line than the existing structure. The applicants proposal is consistent with this practice. The garage has been shifted so it will be 20' from the right-of-way as requested by the Variance Board.

F-10.2

This portion of Hugo Road has many lots similar to this one which do not meet minimum lot size requirements. Variances for several of these lots have been approved by the Town.

**Updated Recommendation**

The applicants have revised their plan based on the Variance Board recommendation to show a 20' setback from the right-of-way and an 8.2' setback from the north lot line. The variances requested as a result of those modifications are:

1. A 15' right-of-way setback variance.
2. A 1.8' side yard setback variance (north side only).
3. A 42' lakeshore setback variance.
4. 9% green area variance.

Staff recommends approval of the variances as requested.

TR/psw  
cc:admin/add.file  
b:berg-1

File 1

# MEMORANDUM

TO: PLANNING COMMISSION  
FROM: TOM RIEDESEL  
DATED: MAY 18, 1998

SUBJECT: HOME ADDITIONS  
REQUEST: 8' LAKESHORE & 22' +/- FRONT YARD SETBACK VARIANCES

LOCATION: 5623 HUGO ROAD  
APPLICANTS: JAMES & DONNA COMMANDER

The Commanders are requesting approval of front yard and lakeshore setback variances to construct two additions onto the existing home. The lakeshore addition is proposed to be 4' deep by 40' in length. The home is currently 46' from the lake. The addition, as proposed, will decrease the setback tot 42' from the lake. A 50' lakeshore setback is required by the Zoning Ordinance. An 8' lakeshore setback variance is requested.

The front of the home appears to be 19' from the Hugo Road right-of-way as measured to the front foundation. A 6' wide porch is proposed for the front of the home which would be approximately 13' from the right-of-way. The porch will replace an existing ramp which is 7 1/2' in width. Therefore, the porch, as proposed, will be setback further from the right-of-way than the existing ramp. Staff has asked the property owner's architect to verify the front yard setback.

The lots along this portion of Hugo Road are very shallow as compared to most lots within the Township. The depth of the lot varies from 95' to 110'. Due to the minimal depth of the lots and the 50' lakeshore and 35' front yard setback requirements, several variances have been approved for homes along Hugo Road. They include the following:

- 6 K A<sup>2</sup> LOT → 5617 Hugo Road – 18' front yard setback variance for a new garage (existing setback from the right-of-way is 8')  
(approved 1995)
- 5887 Hugo Road – 4' side yard setback variance  
(approved 1988)
- 12.1 K A<sup>2</sup> LOT → 5599 Hugo Road – 25' front yard variance  
(approved 1988) 5' side yard variance  
43' lakeshore variance

- 5611 Hugo Road – 2' side yard variance  
(approved 1986) 62' lakeshore variance (75' required at that time)
- (approved 1979) 9' side yard variance  
10' front yard variance
- S.2K #2 LOT* 5641 Hugo Road – 3' side yard variance  
(approved 1986) 12' front yard variance
- S.2K #2 LOT* 5661 Hugo Road – 15' front yard variance  
(approved 1989) 10' lakeshore variance  
(approved 1981) 21' front yard variance
- 5669 Hugo Road – 40' lakeshore variance

It was also noted during the staff visit to the site that the following properties had structures which were located closer to the paved portion of Hugo Road than the 35' setback requirement: 5587, 5593, 5559, 5641, 5653, 5657, 5661 and 5669 Hugo.

When reviewing lakeshore setback variances, the Town has considered what the impact of approving a variance will be on adjacent properties, i.e., will construction of an addition block views to the lake. In this instance homes on both sides of the Commanders are currently located closer to the lake than their home. In fact, if the variance for the lake side addition is approved, the setback from the lake will remain greater than the setback of adjacent homes.

In the case of the front yard setback variance request, it should be noted that several homes are located closer to the Hugo Road right-of-way, than what the Commanders are proposing. The home adjacent to the Commanders on the south side is located only 8' from the right-of-way. The home to the north of the Commanders lines up with their home and appears to have the same front yard setback. The home at 5641 Hugo Road (2<sup>nd</sup> home north of the Commanders) is also located closer to the right-of-way than the Commanders.

The additions, as proposed, will be setback further from the lake and the right-of-way than many of the homes on Hugo Road. Since many of the homes received approval of variances, a precedent has been set allowing variances for homes along Hugo Road. The Commander's request appears to be in keeping with the character of the neighborhood and will not negatively impact homes on adjacent properties.

**Recommendation:**

Staff recommends approval of the 8' lakeshore setback variance as requested.



# VARIANCE APPLICATION FORM

White Bear Township  
 1281 Hammond Road  
 White Bear Township, MN 55110  
 Phone 651-747-2750 Fax 651-426-2258  
[www.ci.white-bear-township.mn.us](http://www.ci.white-bear-township.mn.us)

## INTRODUCTION

Variations from the literal provisions of this Ordinance shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance, and when the terms of the variance are consistent with the Comprehensive Plan. Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the provisions of this Ordinance. "Practical Difficulties", as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by this Ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variations shall be granted for earth sheltered construction as defined in Minnesota Statutes, when in harmony with this Ordinance. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The Town Board may impose conditions in granting a variance that are directly related to and in rough proportion to an impact created by the variance. Conditions may be imposed in the granting of variations to insure compliance and to protect adjacent properties.

Check #12248 Fee \$225

APPLICANT(S) John D Schwartz Kathryn K Schwartz PHONE (Home) (651)770-8225  
 (Business) \_\_\_\_\_  
 (Cell) J(952)994-7250  
K(651)271-0334

ADDRESS 256 Windsor Lane  
Mahtomedi, MN 55115

PROPERTY OWNER John & Kathy Schwartz

ADDRESS OF SITE 5605 Hugo Road, WB Township, MN ZONING R1

EXISTING USE OF SITE Lake home - year round

DESCRIPTION OF VARIANCE REQUEST See narrative provided in supporting materials.

SETBACKS: (in FT)	<u>Required</u>	<u>Existing</u>	<u>Requested</u>
Front Yard	<u>35</u>	<u>39 - 42</u>	<u>17 setback from southern property line</u>
Side Yard	<u>6.25</u>	<u>7.0</u>	<u>7.0</u>
Side Yard	<u>6.25</u>	<u>7.0</u>	<u>7.0</u>
Rear Yard/ Lake	<u>50</u>	<u>19 - 20</u>	<u>19 - 20</u>
Other (Specify)	<u>Max of 10% Lot Ft2</u>	<u>None-No Garage</u>	<u>28' variance from 10% of Lot max size</u>
Greenspace	<u>% of lot size</u>	<u>53%</u>	<u>53% (reducing footprint &amp; adding gutters)</u>

CHECKLIST:

- \_\_\_\_\_ Attached Surveys
- \_\_\_\_\_ Site Plan (with dimensions and to scale)
- \_\_\_\_\_ Building locations (dwelling, garage, accessory building).
- \_\_\_\_\_ Site improvements (fences, walks, lighting, decks, etc.).
- \_\_\_\_\_ Yard (front, side, rear, delineating setbacks).
- \_\_\_\_\_ Wetlands, lakes, streams, ditches including 100 year storm elevation.
- Late 8/2018 \_\_\_\_\_ Schedule (when does applicant intend to construct).
- \_\_\_\_\_ Additional information, if required.
- \_\_\_\_\_ Certificate of Survey, or full legal description.
- \_\_\_\_\_ Statements from affected (abutting) property owners. (If not provided, a public hearing will be scheduled with all property owners within 350' of your property being notified.)

REVIEW PROCESS:

1. Submit 1 copy of application and supporting information to the Township. Also submit 15 copies of all plans which exceed 11" x 17" in size. Any application must be received by the 1<sup>st</sup> Thursday of the month in which the applicant would like the Variance Board to review the proposal.
2. Variance Board \_\_\_\_\_ (Approximately one week prior to the Planning Commission Meeting, as necessary. Applicant will be notified of the time of the meeting).
3. Planning Commission \_\_\_\_\_ (4<sup>th</sup> Thursday of the month @ 7:00 p.m. at the Town Hall).
4. Town Board \_\_\_\_\_ (3<sup>rd</sup> Monday of the following month @ 7:00 p.m. at the Town Hall).

STANDARDS:

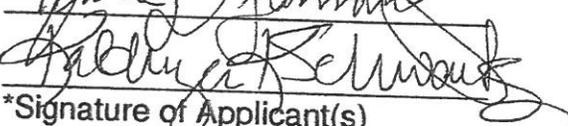
The Town Board will approve a variance only if it satisfies the description in the INTRODUCTION on Page 1 of this form, and the following facts are established:

- \_\_\_\_\_ 1. Without a variance, applicant would be deprived of rights commonly enjoyed by others in the same district.
- \_\_\_\_\_ 2. The special circumstances do not result from actions of applicant.
- \_\_\_\_\_ 3. Granting variance will not confer on applicant any special privileges.
- \_\_\_\_\_ 4. Will not increase traffic congestion on public streets.
- \_\_\_\_\_ 5. Will not endanger public safety.
- \_\_\_\_\_ 6. Will not diminish established property value.

Applicant understands that the Variance Application fee will not be refunded if, after being submitted, the application is denied or the applicant chooses to withdraw.

It is the policy of White Bear Township that all identifiable costs associated with a Variance Application within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

  
  
\*Signature of Applicant(s)

8/2/2018

Date

\*Prior to applying for a variance it is recommended that the applicant contact Town staff in order to discuss the proposal.

To Be Completed By Office:

Date Request Received \_\_\_\_\_

By \_\_\_\_\_  
(Staff Member)

\$225.00 Fee Received

Yes  
No

Date Application Complete \_\_\_\_\_

G&J

J+K cell J = 952-994-7250  
cell K = 651-271-0334

**STATEMENT OF AFFECTED  
PROPERTY OWNERS**

Schwartz

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: 5655 Hugo Road. I am requesting that the Town of White Bear grant me a variance from Ordinance No. Variations, for the following purpose: Build a 24x24 Garage w/ Living Space Above It, Connected Directly to South End of the East Side of House

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS 8/2/18

1. Name: Greg & Jerne Letourneau Address: 5611 Hugo Road  
Phone: (Home) 651-429-8251  
(Bus.) -  
(Cell) 612-272-2832

Comments: Greg & Jerne HAVE NO CONCERNS ABOUT THIS PROJECT AT THIS TIME. THANKS.

Date: \_\_\_\_\_ Signatures: Greg Letourneau | Jerne Letourneau

2. Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone: (Home) \_\_\_\_\_  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_

Comments: \_\_\_\_\_

Date: \_\_\_\_\_ Signatures: \_\_\_\_\_

3. Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone: (Home) \_\_\_\_\_  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_

Comments: \_\_\_\_\_

Date: \_\_\_\_\_ Signatures: \_\_\_\_\_

JAN  
J+K Cell J = 952-994-7250  
Schwartz Cell K = 651-271-0334

### STATEMENT OF AFFECTED PROPERTY OWNERS

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: 5605 Hugo Road. I am requesting that the Town of White Bear grant me a variance from Ordinance No. Various, for the following purpose: Build a 24x24 Garage w/ Living Space Above It Connected Directly to South End of East Side of House

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

#### PROPERTY OWNERS

1. Name: Janice M. Finnen Address: 5599 Muzz Rd  
Phone: (Home) 651-653-8966  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_

Comments: None

Date: \_\_\_\_\_ Signatures: \_\_\_\_\_ /

2. Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone: (Home) \_\_\_\_\_  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_

Comments: \_\_\_\_\_

Date: \_\_\_\_\_ Signatures: \_\_\_\_\_ /

3. Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone: (Home) \_\_\_\_\_  
(Bus.) \_\_\_\_\_  
(Cell) \_\_\_\_\_

Comments: \_\_\_\_\_

Date: \_\_\_\_\_ Signatures: \_\_\_\_\_ /



## Public Notice

**Notice is Hereby Given**, That the Town Board of Supervisors of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, September 17, 2018 at 7:00 p.m. to consider a right-of-way setback variance to allow the addition of a garage with living space pertaining to the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Southeasterly 10 feet of Lot 24 and except the southeasterly 10 feet of Lot 23,  
Ramsey County, Minnesota

(5605 Hugo Road)

and to pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 6<sup>th</sup> day of August, 2018.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

\_\_\_\_\_  
WILLIAM F. SHORT, Clerk-Treasurer



1858  
RAMSEY COUNTY  
MINNESOTA

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750  
FAX 651-426-2258  
Email: [wbt@whitebeartownship.org](mailto:wbt@whitebeartownship.org)

Board of Supervisors  
ROBERT J. KERMES, *Chair*  
ED M. PRUDHON  
STEVEN A. RUZEK

September 7, 2018

Township Property Owner  
White Bear Township, Minnesota 55110

**Re: Right-of-Way Setback Variance Request**

Dear Property Owners:

Enclosed please find a **Public Notice** regarding a road right-of-way setback variance for property at 5605 Hugo Road.

The property owners are requesting approval of this right-of-way setback variance to allow them to construct an attached garage with living space above, placing the new garage 16.5' from the Hugo Road right-of-way.

The Public Hearing on the matter is scheduled for **Monday, September 17, 2018 @ 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township.**

If you have any questions regarding the matter please plan to attend the meeting or you may contact Tom Riedesel, Planner, at 651.747.2761 or via e-mail at [tom.riedesel@whitebeartownship.org](mailto:tom.riedesel@whitebeartownship.org).

Sincerely,

Patti Walstad  
Paralegal

PSW/s  
Enc.  
cc:admin/add.file



recycled paper



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Easy Peel® Address Labels  
Bend along line to expose Pop-up Edge®

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Use Avery Template 5160

Parcel ID: 013022340053

**LAKE COUNTRY PRESERVE TOWNHOME,  
OF WHITE BEAR TOWNSHIP**  
717 1ST ST SW  
NEW BRIGHTON MN 55112-7751

Parcel ID: 013022330005

**GREGORY S LETOURNEAU, JERRE L  
LETOURNEAU**  
5611 HUGO RD  
WHITE BEAR TOWN MN 55110-2366

Parcel ID: 013022330003

**JAMES V COMMANDER, DONNA L  
COMMANDER**  
5623 HUGO RD  
WHITE BEAR TOWNSHIP MN 55110-2366

Parcel ID: 013022330006

**JOHN D SCHWARTZ, KATHRYN K  
SCHWARTZ**  
5605 HUGO RD  
WHITE BEAR TOWNSHIP MN 55110-2366

Parcel ID: 013022330002

**HARLEY M OGATA, CHRISTINA L CLARK**  
5633 HUGO RD  
WHITE BEAR TOWN MN 55110-2366

Parcel ID: 013022340001

**COUNTY OF RAMSEY**  
121 7TH PLACE E STE 2200  
SAINT PAUL MN 55101-2146

Parcel ID: 013022330008

**MICHAEL W SACHI**  
5593 HUGO RD  
WHITE BEAR TOWN MN 55110-2344

Parcel ID: 013022330001

**NORTHERN PACIFIC RY CO**  
176 E 5TH ST  
ST PAUL MN 55101-1606

Parcel ID: 013022330009

**SUSAN E MOEN**  
5587 HUGO RD  
WHITE BEAR TOWNSHIP MN 55110-2344

Parcel ID: 013022330010

**WILLIAM BUNCH, JULIE BUNCH**  
5583 HUGO RD  
SAINT PAUL MN 55110-2344

Parcel ID: 013022330011

**BONNIE JEAN PEETSCH**  
5579 HUGO RD  
WHITE BEAR TWSP MN 55110-2344

Parcel ID: 013022330012

**NORENE PALSA, NOEL M PALSA**  
5575 HUGO RD  
WHITE BEAR TOWN MN 55110-2344

Parcel ID: 013022330007

**EDWIN A TIMMERS JR TRUSTEE, JANICE M  
TIMMERS TRUSTEE**  
5599 HUGO RD  
WHITE BEAR LAKE MN 55110-2344

Parcel ID: 013022330004

**MELVIN G BOEHLAND, PATRICIA S  
BOEHLAND**  
5617 HUGO RD  
WHITE BEAR LAKE MN 55110-2366

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA )
) ss.
COUNTY OF RAMSEY )

Carter Johnson, being first duly sworn, on oath states as follows:

- 1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

Once a week, for one week, it was published on Wednesday, the 5th day of September, 2018.

- 4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:

- a) Lowest classified rate paid by commercial users for comparable space
b) Maximum rate allowed by law for the above matter
c) Rate actually charged for the above matter \$ 16.55/inch

- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 5th day of September, 2018.

[Signature]
Notary Public



WHITE BEAR TOWNSHIP PUBLIC NOTICE
Notice is Hereby Given, That the Town Board of Supervisors of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, September 17, 2018 at 7:00 p.m. to consider a right-of-way setback variance to allow the addition of a garage with living space pertaining to the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota: Southeasterly 10 feet of Lot 24 and except the southeasterly 10 feet of Lot 23, Ramsey County, Minnesota (5605 Hugo Road) and to pass upon objections and recommendations, if any, and to conduct any and all business incident thereto. Given under my hand this 6th day of August, 2018. BY ORDER OF THE TOWN BOARD OF SUPERVISORS WILLIAM F. SHORT, Clerk-Treasurer Published one time in the White Bear Press on September 5, 2018.



**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 7B – Public Hearing

**Subject:** 5966 Highway 61 – Zoning Ordinance Amendments & Conditional Use Permit Request to Allow a Maker Space

**Documentation:** Staff Memo w/attachments /  
Public Notice / Resident Letter / Mailing List  
Publication

**Action / Motion for Consideration:**

- Note Proper Publication of the Hearing Notice in Newspaper & Waive Reading of Notice
- Open Public Hearing
- Open Public Comment Portion – Ask for Comments
- Close Public Portion of Hearing

Based on Planning Commission & Staff Review & Recommendation:

- 1) Adopt the Amendment to Ordinance No. 35, Section 3 – Definitions Which Adds Section 3-42.A. – Maker Space to the List of Definitions
- 2) Adopt the Amendment to Ordinance No. 35, Section 6-5 – Conditional Uses Which Adds No. (12). Maker Space to the List of Conditional Uses in the B-2 Zoning District
- 3) Approve the Conditional Use Permit / Zoning Certificate with Attached Requirements for a Maker Space

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**Minutes**  
Planning Commission Meeting  
August 23, 2018

**5966 HIGHWAY 61 (FORMERLY ZAPPA/S SPORTING GOODS) –THOMAS & THERESA LENDWAY REQUEST FOR CONDITIONAL USE PERMIT / PERMITTED USE STANDARDS PERMIT TO ALLOW MAKER SPACE:** The Planner reported that the Lendway’s are requesting Town approval to locate their business in the former Zappa’s Sports building at 5966 Highway 61. They are proposing to use the building for a “maker space” where “club members” would be allowed to use the

building for woodworking or other craft making. The uses as described as being similar to a gym with a membership. The Lendway's plan to purchase and use the building for the maker space in the rear portion of the building. The building is approximately 9,000 square feet in area with 15 parking stalls. The applicants anticipated 8-10 members being at the site on average. The front portion of the building is planned to be used for office and classroom space. A portion of the office area may be leased or used by club members. Currently the Town's Zoning Ordinance does not identify "maker space" as a permitted use in the B-2 General Business or as conditional in the B-2 General Business list of allowed uses. Since this specific use is not listed as being permitted the Lendway's are requesting approval of a Zoning Ordinance amendment which would add their requested use to the list of allowed businesses. A similar use which the Town permits in the B-2 Zone is a fitness center. A machine shop is listed as a Conditional Use in the B-2 Zone. "Maker space" needs to be added, if approved, as well as a definition. The maker space concept is relatively new. Similar facilities exist in Burnsville and two others in northeast Minneapolis. One of the northeast Minneapolis facilities is called the "Hack Factory". The use appears to staff to be a good fit for the site. The only concern is the limited parking if the business takes off and the customers fill the parking lot. If that happens there may be an opportunity to work with Holiday to lease some parking stalls. The property has a cross access easement with Holiday currently to provide access to the site through the Holiday property. In order to approve the Lendway proposal, the Zoning Ordinance must be amended to list "maker space club" to the list of Conditional Uses in Section 6-5 of the Zoning Ordinance. In addition, a Conditional Use Permit must be approved by the Town for the maker space club on the property at 5966 Highway 61.

The following definition of "maker space club" was considered: **3-45.c. MAKER SPACE.** A public or private community center that provides technology manufacturing equipment and educational opportunities and makes available to the public or its private membership equipment and facilities allowing them to design, proto-type, and manufacture items using tools that would otherwise be inaccessible or unaffordable. Maker Spaces are typically funded by membership fees.

When the Permitted Use Standards Permit which was approved for Zappa's Sports was approved it was subject to several requirements. They included approval of a landscaping plan and other site improvements. The Landscaping Plan was not completed as adopted and a second lift of the parking lot was never completed. The outlet to the storm pond also needs some maintenance in order to work properly. If the Lendway request is approved the following three actions items would be required:

1. Amending Section 6-5 of the Zoning Ordinance by adding #12 "Maker Space" to the list of Conditional Uses in the B-2 Zoning district;
2. Amending Section 3 of the Zoning Ordinance by adding "Maker Space" to the list of definitions; and
3. Approval of the Conditional Use Permit for the use.

If the Zoning Ordinance amendment and Conditional Use Permit are approved it should be subject to:

- Completion of the landscaping plan including replacement of dead and dying shrubs and providing a total of 36 shrubs;
- Maintenance of the landscaping to include: pruning, removal of volunteer plant growth which is stunting the growth around landscape materials;
- Adding 7 trees. The trees shall be a combination of deciduous and ornamental; a
- Meeting the requirements of the Town's Code Enforcement Officer.

Comments included:

- Concern about the use of materials that may be toxic. (Mr. Lendway stated that they use non-toxic materials only. He stated that use of toxic materials would be in violation of the use. There will be a finalizing room for water based materials only.)

Artnier moved to recommend to the Town Board to approve an amendment to Section 6-5 of the Zoning Ordinance by adding #12, Maker Space to the list of Conditional Uses in the B-2 Zoning District. Patrick seconded Ayes all.

Patrick moved to recommend to the Town Board to approve an amendment to Section 3 of the Zoning Ordinance by adding "Maker Space" to the list of definitions as follows **3-45.c. Maker Space:** A public or private community center that provides technology manufacturing equipment and educational opportunities and makes available to the public or its private membership equipment and facilities allowing them to design, proto-type, and manufacture items using tools that would otherwise be inaccessible or unaffordable. Maker Spaces are typically funded by membership fees. Artnier seconded. Ayes all.

Kotilinek moved to the Town Board to approve the Conditional Use Permit for the Maker Space use. Artnier seconded. Ayes all.

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**Minutes**  
**Planning Commission**  
**July 26, 2018**

**5966 HIGHWAY 61 (FORMERLY ZAPPAS SPORTING GOODS) – THOMAS & THERESA LENDWAY, ZONING ORDINANCE AMENDMENT REQUEST:** The Lendway's are requesting Town approval to locate their business in the former Zappa's

Sport's building at 5966 Highway 61. They are proposing to use the building for a "maker space" where club members would be allowed to use the building for woodworking or other craft making. Mr. Lendway describes the use as being similar to a gym with a membership. They plan to purchase and use the entire building for the "maker space". Currently the Town's Zoning Ordinance lists the following uses as being permitted or permitted by Conditional Use Permit in the B-2 Zoning District: 1) Township Parks, Playgrounds and Green Area; 2) Convenience Store; 3) Landscaping Material Storage and Sales; 4) Animal Clinic; 5) Grocery Store; 6) Pharmacy; 7) Bank; 8) Restaurant; 9) Fast Food Restaurants; 10) Video Rental; 11) Automobile Service Station; 12) Daycare; 13) Dentist Office; 14) Auto Repair, limited; 15) Nail Salon; 16) State of Minnesota Licensed Acupuncture and Chinese Herbology Business; 17) Tanning Salon; 18) Sporting Goods Store; 19) Embroidery Shop; 20) Indoor Batting Cages; 21) Dry Cleaner – Pick Up and Drop Off only, Dry Plant; 22) Fitness Center; 23) Design Studio; 24) Dance Studio; 25) Consignment/Thrift Store.

B-2 General Business: 1) Commercial Planned Unit Developments; 2) Machine Shop; 3) Construction Contractor Office/Storage; 4) Theaters; 5) Electrical Sub-assembly Supplier; 6) Off-sale Liquor Sales; 7) Hair Salon; 8) Animal Supply Retail Store; 9) Office Chair Manufacturing; 10) Massage Therapy, Commercial; 11) Self-Storage.

Since the specific use is not listed as being permitted, the Lendway's are requesting approval of a Zoning Ordinance amendment which would add their requested use to the list of allowed businesses. A similar use which the Town permits in the B-2 Zone is a fitness center. A machine shop is listed as a Conditional Use in the B-2 Zone. The building is approximately 9,000 square feet in area with 15 parking stalls. The applicants anticipate 8-10 members being on the site on average. The Lendway's maker space concept is relatively new. Similar facilities exist in Burnsville and 2 others in Northeast Minneapolis. One of the Northeast Minneapolis facilities is called the "Hack Factory". The use appears to staff to be a good fit for the site. The only concern is the limited parking if the business takes off and the customers fill the parking lot. If that happens there may be an opportunity to work with Holiday to lease some parking stalls. The property has a cross access easement with Holiday currently to provide access to the site through the Holiday property. In order to approve the Lendway proposal, the Zoning Ordinance must be amended to list "maker space club" to the list of Permitted Uses in Section 6-4 of the Zoning Ordinance.

Comments and suggestions included:

- Great idea. Is a current new concept and well received.
- Are the high bay ceilings too high to facilitate this type of business. (The front of the building has 9' ceilings. The larger rear portion of the building has high ceilings and will be used to run the tool working space. May be a conference room and cubicle or office in the front.)
- The proposal meets all standards for dust collection.
- Will be a staff person present at all times. There are twenty members and there would be no unsupervised use.
- Regarding signage: There is a sign on the building and they will re-use the Zappa sign space for their own business.
- The building cannot be seen from the road but people will know where it is before they come.
- Part of the PUD will address disposal of sawdust and any hazardous material. (Mr. Lendway stated that there will be rules for members regarding hazardous materials. No hazardous materials will be stored. They will not allow spray booths. Materials used will be non-volatile. Sawdust will be part of the collection system and will recycle.
- Would it be better to treat as a Conditional Use and not Permitted Use and review in a few years. (Businesses are inspected annually).
- There is a need for two ADA parking spaces defined by code. Currently there are no designated ADA parking spaces. (Can work with Holiday for use of some of their space).

Mr. Lendway stated that he has a signed purchase agreement. He will take care of the parking lot landscaping. He would not move ahead without Township approval but would need to know if this is possible before mid-September.

Kotilinek moved to recommend to the Town Board to allow a Zoning Ordinance amendment with the definition for the Makers Space to be a Conditional Use and that the Planning Commission and applicant will review Conditional Use vs Permitted Use. Flann seconded. Ayes all.

## MEMORANDUM

**TO: PLANNING COMMISSION**  
**FROM: TOM RIEDESEL**  
**DATE: JULY 16, 2018**

**SUBJECT: NEW COMMERCIAL USE**

**REQUEST: ZONING ORDINANCE AMENDMENT**  
**LOCATION: 5966 HIGHWAY 61**

**APPLICANT: THOMAS & THERESA LENDWAY**  
**ZONING: B-2, GENERAL BUSINESS**

The Lendway's are requesting Town approval to locate their business in the former Zappa's Sports building at 5966 Highway 61. They are proposing to use the building for a "maker space" where "club members" would be allowed to use the building for woodworking or other craft making. Mr. Lendway describes the use as being similar to a gym with a membership. They plan to purchase and use the building for the "maker space" in the rear portion of the building. The front portion of the building is planned to be used for office and classroom space. A portion of the office area may be leased or used by club members.

Currently the Town's Zoning Ordinance lists the following uses as being permitted or permitted by Conditional Use Permit in the B-2 Zoning District:

Permitted:

"B-2" General Business

- (1). Township Parks, Playgrounds and Green Area
- (2). Convenience Store
- (3). Landscaping Material Storage and Sales
- (4). Animal Clinic
- (5). Grocery Store
- (6). Pharmacy
- (7). Bank
- (8). Restaurant
- (9). Fast Food Restaurants
- (10). Video Rental
- (11). Automobile Service Station
- (12). Daycare
- (13). Dentist office

- (14). Auto Repair, limited
- (15). Nail Salon
- (16). State of Minnesota Licensed Acupuncture and Chinese Herbology Business
- (17). Tanning Salon
- (18). Sporting Goods Store
- (19). Embroidery Shop
- (20). Indoor Batting Cages
- (21). Dry Cleaner – Pick-Up and Drop-Off only, Dry Plant
- (22). Fitness Center
- (23). Design Studio
- (24). Dance Studio
- (25). Consignment/Thrift Store

Conditional:

"B-2" General Business

- (1). Commercial Planned Unit Developments
- (2). Machine Shop
- (3). Construction Contractor Office/Storage
- (4). Theaters
- (5). Electrical Sub-assembly Supplier
- (6). Off-sale Liquor Sales
- (7). Hair Salon
- (8). Animal Supply retail store
- (9). Office Chair Manufacturing
- (10). Massage Therapy, Commercial
- (11). Self-Storage

Since this specific use is not listed as being permitted, the Lendway's are requesting approval of a Zoning Ordinance amendment which would add their requested use to the list of allowed businesses. A similar use which the Town permits in the B-2 Zone is a fitness center. A machine shop is listed as a Conditional use in the B-2 Zone.

The building is approximately 9,000 square feet in area with 15 parking stalls. The applicants anticipate 8-10 members being at the site on average.

The Lendway's maker space concept is relatively new. Similar facilities exist in Burnsville and 2 others in Northeast Minneapolis. One of the Northeast Minneapolis facilities is called the "Hack Factory".

The use appears to staff to be a good fit for the site. The only concern is the limited parking if the business takes off and the customers fill the parking lot. If that happens there may be an opportunity to work with Holiday to lease some parking stalls. The property has a cross access easement with Holiday currently to provide access to the site through the Holiday property.

In order to approve the Lendway proposal, the Zoning Ordinance must be amended to list "maker space club" to the list of Conditional Uses in Section 6-5 of the Zoning Ordinance.

In addition, a Conditional Use Permit must be approved by the Town for the Makespace Club on the property at 5966 Highway 61.

Section 9-4.4 of the Zoning Ordinance sets the standards which must be reviewed and considered when reviewing a request for a Conditional Use Permit. It states:

**9-4.4(a).** The proposed use shall be planned, designed, constructed and maintained to avoid:

- (1). Unnecessary detracting from the appearance of adjacent properties or from the Town as a whole.
- (2). Aesthetic incompatibility.
- (3). Aural Incompatibility.
- (4). Damage to vegetation.
- (5). Traffic pattern incompatibility.
- (6). Erosion of soil.
- (7). Unnecessary loss of existing natural features (vegetation, steep slopes, wetlands, water bodies).
- (8). Increased flood potential.

**9-4.4(b).** The proposed use shall meet all reasonable requirements, as set forth by the Town Board, in order to protect the health, safety and welfare of the Town. Uses proposed for "O-S" Open Space districts shall provide for a level of police protection and civilian supervision as set forth by the Town Board to ensure supervision and maintenance of said districts.

**9-4.4(c).** Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters and Town Board shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

**9-4.4(d).** The proposed use shall bear the cost of all additional water availability (W.A.C.) charges, pursuant to Ordinance No. 12 (Regulating Use of Water), and sewer availability

(S.A.C.) charges, pursuant to Ordinance No. 36 (Sewer Service Availability and Charges), where the proposed use expands upon a pre-existing use.

**9-4.4(e).** The proposed use shall not result in the destruction, loss or damage of a natural, scenic, environmental or historic feature of the Town.

**9-4.4(f).** The proposed use shall not depreciate the value of adjacent properties.

**9-4.4(g).** The proposed use shall be sited, oriented, designed, landscaped and maintained to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.

**9-4.4(h).** The proposed use shall organize vehicular access and parking to minimize traffic congestion to adjacent properties.

**9-4.4(i).** The proposed use shall preserve and incorporate the site's natural and scenic features into the development design.

**9-4.4(j).** The proposed use shall have no negative impact of noise, glare or odor effects on adjacent properties.

**9-4.4(k).** The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the policy and plan recommendations of the Comprehensive Plan.

A definition of "maker space club" should also be added to the Zoning Ordinance. The following may be considered:

**3-45.c. MAKER SPACE.** A public or private community center that provides technology manufacturing equipment and educational opportunities and makes available to the public or its private membership equipment and facilities allowing them to design, proto-type, and manufacture items using tools that would otherwise be inaccessible or unaffordable. Market Spaces are typically funded by membership fees.

When Zappa's was approved by the Town, the Permitted Use Standards Permit was approved subject to several requirements. They included approval of a landscaping plan and other site improvements. The Landscaping Plan was not completed as adopted and a second lift of the parking lot was never completed. The outlet to the storm pond also needs some maintenance in order to work properly.

The three actions required by the Town to approve this proposal include:

1. Amending Section 6-5 of the Zoning Ordinance by adding #12 “Maker Space” to the list of Conditional Uses in the B-2 Zoning District.
2. Amending Section 3 of the Zoning Ordinance by adding “Maker Space” to the list definitions.
3. Approval of the Conditional Use Permit for the use.

If the Zoning Ordinance amendment and Conditional Use Permit are recommended for approval, the approval should be subject to:

- completion of the landscaping plan including:
  - replacement of dead and dying shrubs and providing a total of 36 shrubs
- maintenance of the landscaping to include: pruning, removal of volunteer plant growth which is stunting the growth around landscape materials
- adding 7 trees. The trees shall be a combination of deciduous and ornamental
- meeting the requirements of the Town’s Code Enforcement Officer.

TR/psw  
cc:admin/add.file  
b:lendway



# Business Plan Summary

August 15, 2018, Rev A  
5966 Hwy 61  
White Bear Township MN 55110

White Bear Makerspace (“WBM”) is a Do-It-Yourself workshop where members can build things using tools that they don’t have access to at home. It functions like a gym, with monthly membership dues as the primary revenue. Space rental is an additional (smaller) revenue stream. It will be the first makerspace in the northeast metro. There are several others in NE Minneapolis, Burnsville, Duluth, and even the Iron Range, and around 700 makerspaces across the US.

The tools and rental options available at WBM fall into the following categories:

- Woodworking (table saws, lathes, band saws, planer, jointer, etc.)
- Sanding room (belt, disk, spindle, hand held sanders, etc.)
- Finishing room (non-volatile finishes only), independently ventilated
- Metalworking shop (chop saws, welders, grinders, etc.)
- Digital Fabrication (e.g. CNC machine, 3D printer, laser cutter)
- Storage space for members’ personal projects/tools/supplies, rented by the month
- Work Platforms – members’ personal 8’x 8’ space, rented by the month
- Classrooms (small scale classes will be offered to the public)

Our building is divided into two halves. Most machines will be in the back half (where we have 20’ ceiling height). The front half (with 9’ ceilings) will contain the work platforms, classrooms, and a kitchen/lounge break area.

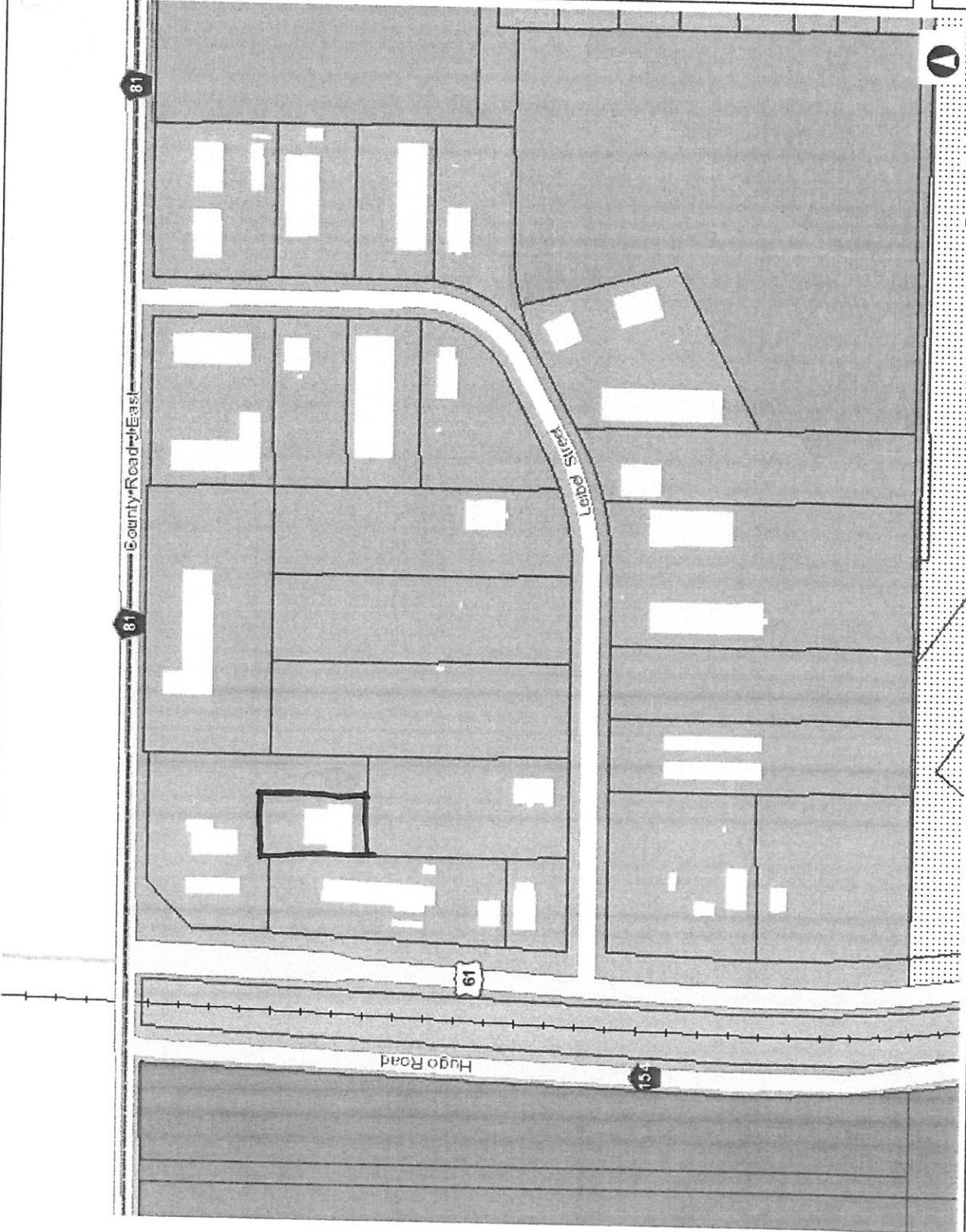
WBM is targeting members such as:

- Hobbyists who are downsizing or need room to build things
- Artists looking for a place to work
- Entrepreneurs looking for a place to start a business making something

Our members will be building things for a variety of purposes, ranging from hobbies to small businesses (for example, artists mentioned above). The latter case makes WBM somewhat of a “business incubator”, where members will be involved in designing, manufacturing (limited, low volume), promoting and making their products available to the public.

WBM will be a “good neighbor”; we like to play by the rules. Parking will not be a problem, since only ~10% of makerspace members are present even at “busy” times (this data comes from national averages), thus 6-8 cars out of 15 parking spots. Existing problems at the property (landscaping, parking lot, etc.) will be corrected before closing as part of the already-signed purchase agreement. We have retained multiple advisors to ensure compliance throughout our operation with all regulations, including but not limited to safety, fire, OSHA, environmental, and local ordinances. Training is mandatory for all new members.

WBM is run by Theresa and Tom Lendway. We each have over thirty years’ experience in the business world. Tom is an engineer, and a woodworking/DIY expert. Theresa is the finance expert and marketing director. She has a lot of experience in the local volunteer community, which is a great asset as we both feel WBM is a great way for us to give back to our community, where we’ve lived for over 22 years.



600.0  
300.00  
0  
600.0 Feet

NAD\_1983\_HARN\_Adj\_MN\_Ramsey\_Feet  
© Ramsey County Enterprise GIS Division

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

**Legend**



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

**Notes**

Enter Map Description



## Public Notice

**Notice is Hereby Given**, That the Town Board of Supervisors of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, September 17, 2018 at 7:00 p.m. to consider the following requests:

Amendment to Ordinance No. 35, Section 3 – Definitions  
Amendment to Ordinance No. 35, Section 6-5 – Conditional Uses  
Conditional Use Permit for a Maker Space Use

pertaining to the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Together with easements; that part of Lot 1, Block 1, described as beginning at a point 83.71 feet westerly of the southeast corner of said Lot 1, thence west 125 feet to the west line of said Lot 1, thence north 220 feet, thence east 125 feet; thence south 220 feet to the point of beginning

(5966 Highway 61)

and to pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 20<sup>th</sup> day of August, 2018.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

WILLIAM F. SHORT, Clerk-Treasurer



# WHITE BEAR TOWNSHIP

1858  
RAMSEY COUNTY  
MINNESOTA

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

FAX 651-426-2258

Email: [wbt@whitebeartownship.org](mailto:wbt@whitebeartownship.org)

Board of Supervisors

ROBERT J. KERMES, *Chair*

ED M. PRUDHON

STEVEN A. RUZEK

September 6, 2018

Township Business  
White Bear Township, Minnesota 55110

**Re: Conditional Use Permit Request – Maker Space**

Dear Business Owner:

Enclosed please find a **Public Notice** regarding amendments to Ordinance No. 35 (Zoning) and the request for a Conditional Use Permit to allow the operation of a “maker space” use in the building located at 5966 Highway 61. A Maker Spaces are a public or private community center that provides technology manufacturing equipment and educational opportunities and makes available to the public or its private membership equipment and facilities allowing them to design, proto-type, and manufacture items using tools that would otherwise be inaccessible or unaffordable. Maker Spaces are typically funded by membership fees.

In accordance with Town Ordinances, a Public Hearing must be held on the matter. Therefore, a Public Hearing has been scheduled for **Monday, September 17, 2018 @ 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township.**

If you have any comments or questions regarding this request please plan to attend the hearing. If you cannot attend the hearing you may forward your comments or questions to Tom Riedesel, Planner, by letter, e-mail at [tom.riedesel@whitebeartownship.org](mailto:tom.riedesel@whitebeartownship.org) or telephone at 651.747.2761.

Sincerely,

Patti Walstad  
Paralegal

PSW/s

Enc.

cc:admiin/add.file



recycled paper

*Parcel ID: 013022220013*

**POR-MKR REAL ESTATE LLC**

101 10TH ST E STE 300  
HASTINGS MN 55033-2157

*Parcel ID: 013022220004*

**SOUTHWIND HOLDINGS LLC**

2372 LEIBEL ST  
WHITE BEAR TOWNSHIP MN 55110-2308

*Parcel ID: 013022220012*

**MICHALSKI LAND CO LLC**

2320 COUNTY ROAD J E  
WHITE BEAR LAKE MN 55110-1000

*Parcel ID: 013022220023*

**THEODORE L STEICHEN, PATRICIA A  
STEICHEN**

411 OAK CREEK DR S  
VADNAIS HEIGHTS MN 55127-7017

*Parcel ID: 013022220021*

**STEVEN C PARENTEAU, COLLEEN G  
PARENTEAU**

3744 HOFFMAN RD  
WHITE BEAR LAKE MN 55110-4628

*Parcel ID: 013022220024*

**HOLIDAY STATIONSTORES, INC, ATTN: TAX  
DEPARTMENT**

4557 AMERICAN BLVD W  
MINNEAPOLIS MN 55437-1123

*Parcel ID: 013022230001*

**NORTHERN PACIFIC RY CO**

176 E 5TH ST  
ST PAUL MN 55101-1606

**THOMAS LENDWAY  
3743 THOMAS COURT  
VADNAIS HEIGHTS MN 55127**

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA )
) ss.
COUNTY OF RAMSEY )

Carter Johnson, being first duly sworn, on oath states as follows:

- 1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

Once a week, for one week, it was published on Wednesday, the 5th day of September, 2018.

- 4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:
a) Lowest classified rate paid by commercial users for comparable space
b) Maximum rate allowed by law for the above matter
c) Rate actually charged for the above matter \$ 16.55/inch

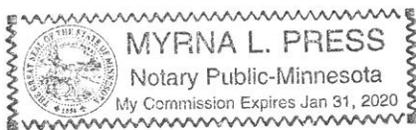
- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher

Subscribed and sworn to before me on this 5th day of September, 2018.

[Signature]
Notary Public



WHITE BEAR TOWNSHIP PUBLIC NOTICE
Notice is Hereby Given, That the Town Board of Supervisors of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, September 17, 2018 at 7:00 p.m. to consider the following requests:
Amendment to Ordinance No. 35, Section 3 - Definitions
Amendment to Ordinance No. 35, Section 6-5 - Conditional Uses
Conditional Use Permit for a Maker Space Use
pertaining to the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:
Together with easements; that part of Lot 1, Block 1, described as beginning at a point 83.71 feet westerly of the southeast corner of said Lot 1, thence west 125 feet to the west line of said Lot 1, thence north 220 feet, thence east 125 feet; thence south 220 feet to the point of beginning (5966 Highway 61)
and to pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.
Given under my hand this 20th day of August, 2018.
BY ORDER OF THE TOWN BOARD OF SUPERVISORS
WILLIAM F. SHORT, Clerk-Treasurer
Published one time in the White Bear Press on September 5, 2018.

**AN ORDINANCE AMENDING ORDINANCE NO. 35 OF THE  
TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA,  
DATED SEPTEMBER 8, 1972, AS AMENDED AND ENTITLED  
“ZONING ORDINANCE OF THE TOWN OF WHITE BEAR  
RAMSEY COUNTY, MINNESOTA” AND DIVIDING THE TOWN  
INTO DISTRICTS OR ZONES**

**THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF WHITE BEAR ORDAINS:**

**SECTION 1. AMENDMENT.** Section 3 – DEFINITIONS of Ordinance No. 35 is amended by adding Section 3-42.A – MAKER SPACE which shall read as follows:

**3-42.A. MAKER SPACE.** A public or private community center that provides technology manufacturing equipment and educational opportunities and makes available to the public or its private membership equipment and facilities allowing them to design, proto-type, and manufacture items using tools that would otherwise be inaccessible or unaffordable. Make Spaces are typically funded by membership fees.

**SECTION 2. SEVERABILITY.** Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereto, other than the part held to be invalid.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, this 17<sup>th</sup> day of September, 2018.

APPROVED:

\_\_\_\_\_  
ROBERT J. KERMES, Chair

ATTEST:

\_\_\_\_\_  
WILLIAM F. SHORT, Clerk-Treasurer

Board of Supervisors:  
ROBERT J. KERMES, Chair  
ED M. PRUDHON, Supervisor  
STEVEN A. RUZEK, Supervisor

**AN ORDINANCE AMENDING ORDINANCE NO. 35 OF THE  
TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA,  
DATED SEPTEMBER 8, 1972, AS AMENDED AND ENTITLED  
“ZONING ORDINANCE OF THE TOWN OF WHITE BEAR  
RAMSEY COUNTY, MINNESOTA” AND DIVIDING THE TOWN  
INTO DISTRICTS OR ZONES**

**THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF WHITE BEAR ORDAINS:**

**SECTION 1. AMENDMENT.** Section 6-5 – CONDITIONAL USES of Ordinance No. 35 is amended by adding under “B-2” – General Business, the following:

(12) Maker Space.

**SECTION 2. SEVERABILITY.** Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereof, other than the part held to be invalid.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, this 17<sup>th</sup> day of September, 2018.

APPROVED:

\_\_\_\_\_  
ROBERT J. KERMES, Chair

ATTEST:

\_\_\_\_\_  
WILLIAM F. SHORT, Clerk-Treasurer

Board of Supervisors:  
ROBERT J. KERMES, Chair  
ED M. PRUDHON, Supervisor  
STEVEN A. RUZEK, Supervisor

Published in the White Bear Press September 26, 2018.

STATE OF MINNESOTA

TOWN OF WHITE BEAR

COUNTY OF RAMSEY

Office of Town Clerk/Treasurer

**CONDITIONAL USE PERMIT**

IN CONSIDERATION of the statements made by Thomas & Theresa Lendway, in their application therefor duly filed in this office, which Application is made a part hereof, and a showing by the applicant that the standards and criteria set forth in Ordinance No. 35 (Zoning) for Conditional Use Permits will be satisfied, a public hearing thereon having been held as provided by statute and ordinance, PERMISSION IS HEREBY GRANTED To said Thomas & Theresa, to operate a maker space facility, upon a tract of land lying and being in the Town of White Bear, described as follows: Together with easements; that part of Lot 1, Block 1, described as beginning at a point 83.71 feet westerly of the southeast corner of said Lot 1, thence west 125 feet to the west line of said Lot 1, thence north 220 feet, thence east 125 feet, thence south 220 feet to the point of beginning; Address: 5699 Highway 61, which tract is of the size and area specified in said application.

This permit is granted upon the express condition that said owner and their contractors, agents, workmen and employees shall comply in all respects with the ordinances of the Town of White Bear and the Special Requirements attached hereto and made a part hereof.

Given under the hand of the Town Clerk/Treasurer and the Seal of the Town Clerk this 17<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
TOWN CLERK/TREASURER

STATE OF MINNESOTA )  
                                  )  
COUNTY OF RAMSEY ) ss.  
                                  )  
TOWN OF WHITE BEAR)

THIS INSTRUMENT WAS DRAFTED BY:  
WHITE BEAR TOWNSHIP  
1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP MN 55110

I, the undersigned, being the duly qualified and acting Clerk of the Town of White Bear, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached and foregoing Conditional Use Permit with the original records and files of said Town, and that the same is a full, true, and correct transcript therefrom.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Town Clerk's Seal this 17<sup>th</sup> day of September, 2018.

\_\_\_\_\_  
TOWN CLERK/TREASURER

**ZONING CERTIFICATE**  
**Town of White Bear, Minnesota**

I hereby certify that the real estate situated in the Town of White Bear, Ramsey County, Minnesota, described as follows, to-wit: Together with easements; that part of Lot 1, Block 1, described as beginning at a point 83.71 feet westerly of the southeast corner of said Lot 1, thence west 125 feet to the west line of said Lot 1, thence north 220 feet, thence east 125 feet, thence south 220 feet to the point of beginning, and commonly known as: 5966 Highway 61, is in a(n) B-2 General Business District and can be used for the following purpose: operation of a maker space facility, all in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: September 17, 2018.

\_\_\_\_\_  
TOWN CLERK

- CONDITIONAL USE
- PERMITTED USE
- NON-CONFORMING USE
- SPECIAL HOME OCCUPATION
- OTHER: \_\_\_\_\_

## CONDITIONAL USE PERMIT REQUIREMENTS

**Maker Space  
5966 Highway 61  
White Bear Township, MN 55110**

1. Completion of the previously approved Landscaping Plan including replacement of dead and dying shrubs and providing a total of 36 shrubs.
2. Maintenance of the landscaping to include: pruning, removal of volunteer plant growth which is stunting the growth around landscaping materials.
3. Adding seven (7) additional trees which shall be a mix of deciduous and ornamental trees.
4. Meeting the requirements of the Town's Code Enforcement Officer.
5. No outside storage shall be allowed ~~unless stored within the screened storage area on the site.~~
6. Building mounted lighting shall not glare off site.
7. All signs shall meet Sign Ordinance requirements.
8. All State and Federal and local laws and ordinances shall be complied with.

TR/psw  
cc:admin/add.file  
b:bowwow



**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 8A – New Business

**Town Engineer Items:**

**Subject:** Improvement 2016-2 – SE Area Sewer Relining –  
Approve Final Payment

**Documentation:** Town Engineer Correspondence / attachments

**Action / Motion for Consideration:**

Town Engineer Report at Meeting / Discuss

Based on Town Engineer Review & Recommendation Approve the Final Payment to Hydro-Klean, LLC in the Amount of \$61,583.69 Which Brings the Total Construction Cost to \$955,717.85 for Improvement 2016-2 – SE Area Sewer Relining Improvement Project



444 Cedar Street, Suite 1500  
Saint Paul, MN 55101  
651.292.4400  
tkda.com

September 10, 2018

Honorable Chairman and Town Board  
White Bear Township, Minnesota 55082

Re: Southeast Sanitary Sewer System Rehabilitation  
White Bear Township, Minnesota  
TKDA Project No. 15488.002

Dear Board Members:

The Southeast Sanitary Sewer System Rehabilitation project has been completed. The contractor has been performing all necessary warranty adjustments on the project. All work has been reviewed and approved by Public Works staff and TKDA. All required documents including their subcontractor documentation has been received.

All road and yard restoration has gone through the warranty period. The sewer system has been properly functioning without any issues.

The project came in under budget and was assessed to the benefiting properties.

The Final Pay Estimate #6 and Compensating Change Order are attached. The final project costs have come in at \$955,717.85 which is under the project cost of \$1,016,177.18.

### **Recommendation**

We recommend that you make the final payment to Hydro-Klean, LLC in the amount of \$61,583.69, which brings the total construction cost to \$955,717.85.

When payment is made, please return the white copy to TKDA, the pink copy goes to the Contractor and the white copy is for the Township records.

Please don't hesitate to call me with any questions.

Sincerely,

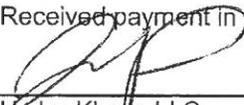
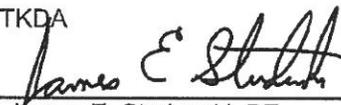
James E. Studenski, PE  
Town Engineer

Enclosures



444 Cedar Street, Suite 1500  
 Saint Paul, MN 55101  
 651.292.4400  
 tkda.com

PERIOD ENDING: MAY 31, 2018

Project No.	<u>15488.002</u>	Cert. No.	<u>6 (Final)</u>	Dated	<u>June 27, 2018</u>
To	<u>White Bear Township, Minnesota</u>			Owner	
This Certifies that	<u>Hydro-Klean, LLC</u>			Contractor	
For	<u>Southeast Sanitary Sewer System Rehabilitation</u>				
Is entitled to	<u>Sixty One Thousand Five Hundred Eighty Three and 69/100</u>				
	<u>( \$ 61,583.69 )</u>				
	being	<u>6th (Final)</u>	estimate for partial payment on contract with you dated	<u>February 22, 2017</u>	
Received payment in full of above Certificate. TKDA					
 <u>Hydro-Klean, LLC</u> <u>July 3, 2018</u>			 <u>James E. Studenski, PE</u>		

RECAPULATION OF ACCOUNT

	CONTRACT PLUS EXTRAS	PAYMENTS	CREDITS
Contract price plus extras	\$ 897,104.16		
All previous payments		\$ 894,134.16	
All previous credits			
Change Order No. 1	\$ 34,519.24		
Change Order No. 2	\$ 49,753.78		
Change Order No. 3	\$ 34,800.00		
Compensating Change Order (No. 4)	\$ (60,459.33)		
" "			
Credit No.			\$ -
" "			
" "			
AMOUNT OF THIS CERTIFICATE		\$ 61,583.69	
Totals	\$ 955,717.85	\$ 955,717.85	\$ -
Credit Balance		\$ -	
There will remain unpaid on contract after		\$ -	
	\$ 955,717.85	\$ 955,717.85	\$ -



444 Cedar Street, Suite 1500  
 Saint Paul, MN 55101  
 651.292.4400  
 tkda.com

PERIOD ENDING: MAY 31, 2018

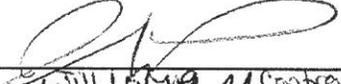
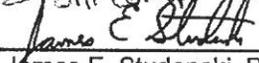
**PERIODICAL ESTIMATE FOR PARTIAL PAYMENTS**

<u>Project No.</u>	<u>15488.002</u>
<u>Contractor</u>	<u>Hydro-Klean, LLC</u>
<u>Original Contract Amount</u>	<u>\$426,083.89</u>
<u>Project</u>	<u>Southeast Sanitary Sewer System Rehabilitation</u>
<u>Location</u>	<u>White Bear Township, Minnesota</u>

Total Contract Work Completed - Base Bid with CO#1, CO#2, CO#3, and CO#4 \$ 955,717.85

Less Approved Credits		<u>\$ -</u>
Less	<u>0 % Retained</u>	<u>\$ -</u>
Less Previous Payments		<u>\$ 894,134.16</u>
Total Deductions		<u>\$ 894,134.16</u>

Amount Due This Estimate \$ 61,583.69

Contractor	 <u>Jill LeMay</u> Contracts Coordinator	Date <u>7-3-2018</u>
Engineer	 <u>James E. Studenski</u> , PE	Date <u>June 27, 2018</u>

ESTIMATE NO. 6 (Final)

SOUTHEAST SANITARY SEWER SYSTEM REHABILITATION  
 WHITE BEAR TOWNSHIP, MINNESOTA  
 TKDA PROJECT NO. 15488.002

PERIOD ENDING: MAY 31, 2018

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE
<b>BASE BID WITH CO#1, CO#2, CO#3 and CO#4:</b>						
1	TRAFFIC CONTROL	LS	1	1	\$ 100.00	\$ 100.00
2	SEWER CLEANING, ALL SIZES	LF	29334	29334	\$ 1.79	\$ 52,507.86
3	PRE-LINING TELEVISION	LF	29334	29334	\$ 1.37	\$ 40,187.58
4	8" CIPP LINING, 5 MM THICKNESS	LF	26913	26913	\$ 15.90	\$ 427,916.70
5	10" CIPP LINING, 7 MM THICKNESS	LF	2421	2435	\$ 21.30	\$ 51,865.50
6	REOPEN EXISTING SERVICE	EA	446	446	\$ 75.00	\$ 33,450.00
7	REMOVE AND REPLACE RINGS AND CASTINGS	EA	88	84	\$ 1,155.00	\$ 97,020.00
8	RECONSTRUCT UPPER MANHOLE SECTION	EA	30	30	\$ 2,744.70	\$ 82,341.00
9	REHABILITATE MANHOLE	EA	6	6	\$ 750.00	\$ 4,500.00
10	CEMENTITIOUS LINING	EA	8	8	\$ 1,420.00	\$ 11,360.00
11	PAVEMENT RESTORATION	SY	2000	1267	\$ 31.50	\$ 39,910.50
12	TURF RESTORATION	SY	3000	485.23	\$ 4.20	\$ 2,037.97
13	SOD RESTORATION	SY	1000	40	\$ 12.60	\$ 504.00
14	ALLOWANCE FOR ENGINEER DIRECTED MODIFICATIONS	LS	1	0	\$ 10,000.00	\$ -
15	8" END SEALS	EA	212	206	\$ 100.00	\$ 20,600.00
16	10" END SEALS	EA	18	20	\$ 105.00	\$ 2,100.00
17	24" FRAME	EA	7	7	\$ 128.32	\$ 898.24
18	9" CASTING	EA	20	20	\$ 157.29	\$ 3,145.80
19	INFRASHIELD EXTENSION	EA	40	40	\$ 194.63	\$ 7,785.20
20	CR-F PIPE REPLACEMENT	LS	1	1	\$ 42,687.50	\$ 42,687.50
21	CIPP PATCH REINFORCEMENTS	EA	6	6	\$ 3,050.00	\$ 18,300.00
22	ADDITIONAL SAG AREA LINING	EA	3	3	\$ 5,500.00	\$ 16,500.00
<b>TOTAL ESTIMATE NO. 6 (Final)</b>						<b>\$ 955,717.85</b>

CHANGE ORDER

TKDA

Engineers-Architects-Planners

Dated: June 27, 2018 TKDA Project No. 15488.002 Change Order No. 4 (Compensating)

To Hydro-Klean, LLC  
for Southeast Sanitary Sewer System Rehabilitation  
for White Bear Township, Minnesota

You are hereby directed to make the following change to your contract dated February 22, 2017.

The change and the work affected thereby is subject to all contract stipulations and covenants. This Change Order will (~~increase~~) (decrease) (~~not change~~) the contract sum by \$60,459.33.

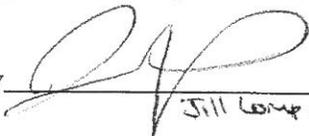
This change order provides for changes in the work of this contract according to the attached itemization.

Amount of Original Contract	\$ <u>897,104.16</u>
Additions approved to date (No. 1, No. 2, No. 3)	\$ <u>119,073.02</u>
Deductions approved to date (No.)	\$ <u>0.00</u>
Contract amount to date	\$ <u>1,016,177.18</u>
Amount of this Change Order ( <del>Add</del> ) ( <del>Deduct</del> ) ( <del>No Change</del> )	\$ <u>60,459.33</u>
Revised Contract Amount	\$ <u>955,717.85</u>

Approved White Bear Town Board

By \_\_\_\_\_

Approved Hydro-Klean, LLC

By  Jill Long, Contracts Coordinator

TKDA

By  James E. Studenski, P.E.

White - Owner  
Pink - Contractor  
Blue - TKDA

CHANGE ORDER NO. 4 (COMPENSATING)  
 SOUTHEAST SANITARY SEWER SYSTEM REHABILITATION  
 WHITE BEAR TOWNSHIP, MINNESOTA  
 TKDA PROJECT NO. 15488.002

PERIOD ENDING: MAY 31, 2018

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QTY	QTY TO DATE	UNIT PRICE	AMOUNT TO DATE	NET CHANGE	CONTRACT AMOUNT
<b>BASE BID WITH CO#1, CO#2, CO#3 and CO#4:</b>								
1	TRAFFIC CONTROL	LS	1	1	\$ 100.00	\$ 100.00	\$ -	\$ 100.00
2	SEWER CLEANING, ALL SIZES	LF	29334	29334	\$ 1.79	\$ 52,507.86	\$ -	\$ 52,507.86
3	PRE-LINING TELEVISION	LF	29334	29334	\$ 1.37	\$ 40,187.58	\$ -	\$ 40,187.58
4	8" CIPP LINING, 5 MM THICKNESS	LF	26913	26913	\$ 15.90	\$ 427,916.70	\$ -	\$ 427,916.70
5	10" CIPP LINING, 7 MM THICKNESS	LF	2421	2435	\$ 21.30	\$ 51,865.50	\$ 298.20	\$ 51,567.30
6	REOPEN EXISTING SERVICE	EA	446	446	\$ 75.00	\$ 33,450.00	\$ -	\$ 33,450.00
7	REMOVE AND REPLACE RINGS AND CASTINGS	EA	88	84	\$ 1,155.00	\$ 97,020.00	\$ (4,620.00)	\$ 101,640.00
8	RECONSTRUCT UPPER MANHOLE SECTION	EA	30	30	\$ 2,744.70	\$ 82,341.00	\$ -	\$ 82,341.00
9	REHABILITATE MANHOLE	EA	6	6	\$ 750.00	\$ 4,500.00	\$ -	\$ 4,500.00
10	CEMENTITIOUS LINING	EA	8	8	\$ 1,420.00	\$ 11,360.00	\$ -	\$ 11,360.00
11	PAVEMENT RESTORATION	SY	2000	1267	\$ 31.50	\$ 39,910.50	\$ (23,089.50)	\$ 63,000.00
12	TURF RESTORATION	SY	3000	485.23	\$ 4.20	\$ 2,037.97	\$ (10,562.03)	\$ 12,600.00
13	SOD RESTORATION	SY	1000	40	\$ 12.60	\$ 504.00	\$ (12,096.00)	\$ 12,600.00
14	ALLOWANCE FOR ENGINEER DIRECTED MODIFICATIONS	LS	1	0	\$ 10,000.00	\$ -	\$ (10,000.00)	\$ 10,000.00
15	8" END SEALS	EA	212	206	\$ 100.00	\$ 20,600.00	\$ (600.00)	\$ 21,200.00
16	10" END SEALS	EA	18	20	\$ 105.00	\$ 2,100.00	\$ 210.00	\$ 1,890.00
17	24" FRAME	EA	7	7	\$ 128.32	\$ 898.24	\$ -	\$ 898.24
18	9" CASTING	EA	20	20	\$ 157.29	\$ 3,145.80	\$ -	\$ 3,145.80
19	INFRAFIELD EXTENSION	EA	40	40	\$ 194.63	\$ 7,785.20	\$ -	\$ 7,785.20
20	CR-F PIPE REPLACEMENT	LS	1	1	\$ 42,687.50	\$ 42,687.50	\$ -	\$ 42,687.50
21	CIPP PATCH REINFORCEMENTS	EA	6	6	\$ 3,050.00	\$ 18,300.00	\$ -	\$ 18,300.00
22	ADDITIONAL SAG AREA LINING	EA	3	3	\$ 5,500.00	\$ 16,500.00	\$ -	\$ 16,500.00
<b>TOTAL</b>								<b>\$ 955,717.85 \$ (60,459.33) \$ 1,016,177.18</b>

## Patti Walstad

---

**From:** James E. Studenski <jim.studenski@tkda.com>  
**Sent:** Monday, September 10, 2018 8:04 AM  
**To:** Patti Walstad  
**Cc:** Bill Short; Lynette Olinger; Tom Kelly; Dale Reed; Larry Poppler  
**Subject:** RE: SE Area Sanitary Lining Final Payment - TB  
**Attachments:** SE Area Final Payment Letter.pdf; SE Area Payment Documents.pdf

Patti,

Attached is the Southeast Sanitary Sewer System Rehabilitation Final Payment #6 and Compensating change Order in the amount of \$61,583.69 for the Town Board meeting.

I will send the three signed payment forms and final contractor documents to you.

Jim



**James E. Studenski, PE** | Senior Registered Engineer  
Professional Engineer: MN

444 Cedar Street, Suite 1500, Saint Paul, MN 55101

P 651.292.4503 | C 612.369.4418

jim.studenski@tkda.com

**tkda.com**



## Town Board Meeting September 17, 2018

**Agenda Number:** 8B – New Business

### Town Engineer Items:

**Subject:** Stillwater Street Storm Improvements – Receive & Award Quote

**Documentation:** Town Engineer Correspondence w/ attachments

### Action / Motion for Consideration:

Town Engineer Report at Meeting / Discussion

Based on Town Engineer Review & Recommendation:

- 1) Receive the Quote From Jeanetta & Sons Excavating & Award the Quote to Jeanetta & Sons Excavating in the Amount of \$12,500
- 2) Authorize TKDA to Perform the Construction Observation for an Amount Not to Exceed \$2,900 With All Funding From the Stormwater Utility Fund
- 3) Contract is Subject to Receiving Executed Right of Entry/License Agreements from the Owners of the Property at 2074 & 2082 Stillwater Street

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**Minutes**  
**Executive Meeting**  
**June 22, 2018**

**CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR ITEMS: 2) 2082 STILLWATER STREET: 2082 Stillwater Street:** The property owner has had some drainage concerns over the past several years. The property owner feels that the Township should deal with this issue because she feels that the storm sewer collection basin is decrepit and falling apart. The Engineer and Public Works reviewed the site and recommended the catch basin be replaced along with 20 feet of storm water pipe. It is believed that there is a utility easement on the property. The Town Attorney will draft a license agreement if there is no easement.



444 Cedar Street, Suite 1500  
 Saint Paul, MN 55101  
 651.292.4400  
 tkda.com

September 12, 2018

Honorable Chairman and Town Board  
 White Bear Township  
 1281 Hammond Road  
 White Bear Township, MN 55110

Re: 2074-2082 Stillwater Street Storm Sewer Repairs  
 TKDA Project No. 16627.000  
 Summary of Quotes

Dear Board Members:

At 11:30 am on September 12, 2018, quotes were received for the 2074-2082 Stillwater Street Storm Sewer Improvements (plan attached). This project is repairing storm sewer along a lot line between two homes that is a hazard. Both property owners want the project completed. We will obtain right-of-entry agreements to perform the work if obtaining the easements process is not completed in time. The only quote was received by Jeanetta & Sons Excavating.

Listed below is a summary of the contractors asked to quote and Jeanetta quote is attached.

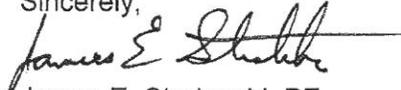
<u>Contractor</u>	<u>Total Quote</u>
Jeanetta & Sons Excavating	\$12,500.00
Jon Bell	No Bid
Mike Capra	No Bid
Dean Luxenburg	No Bid
Engineer's Estimate	\$13,550.00

The project is recommended to be completed as soon as possible.

**Recommendation:**

TKDA will work with Public Works and perform the construction observation for an amount not to exceed \$2,900.00. The project is funded Storm Water Utility Fund. Construction will be finished by November 21, 2018.

Please do not hesitate to call me with any questions or comments.

Sincerely,  
  
 James E. Studenski, PE  
 Town Engineer

Enclosures

20180912 10:58:11 AM C:\Users\jstuden\Documents\2074-2082 Stillwater Street Storm Sewer Repairs\2074-2082 Stillwater Street Storm Sewer Repairs\Summary of Quotes.docx



## QUOTE FOR STILLWATER STREET STORM SEWER REPAIRS

WHITE BEAR TOWNSHIP, MINNESOTA  
PROJECT No.16627.000By Joseph R Jeanette  
9-12-18, 2018Honorable Chairman and Town Board  
White Bear Township, Minnesota

We have examined the site of the work and are familiar with the plans and specifications, and propose to furnish all labor, materials, skills and facilities which are necessary for **STILLWATER STREET STORM SEWER REPAIRS** in accordance with the Plans, Specifications, and Addenda Nos. \_\_\_\_, \_\_\_\_, and \_\_\_\_ thereto, prepared by TKDA, Engineers and Architects, 444 Cedar Street, Saint Paul, MN 55101-2140, for the respective unit and lump sum prices set forth hereinafter.

ITEM NO.	ITEM	UNIT	QTY	UNIT PRICE	TOTAL AMOUNT
1	REMOVE CB	EA	1		1400
2	INSTALL NEW TYPE 409 CB	EA	1		6100
3	24-INCH RCP W/ FLARED END	LF	20	150	3000
4	REMOVE RETAINING WALL	LS	1		180
5	ADJUST TOP OF STRUCTURE	LS	1		250
6	GRADING	LS	1		600
7	TOPSOIL FILL	CY	5	50	250
8	SODDING	SY	20	20	400
9	RESTORATION	LS	1	400	400

TOTAL (Items 1-9) \$ 12500.00

We agree that the Owner intends to award all of the work shown in the Quote Form to one responsible bidder in the best interest of the Owner.

The Owner reserves the right to reject any or all quotes, to waive any informalities in any quote, and to omit any part of the above work.

We have examined the site of the work and are acquainted with all conditions affecting the construction of the work. Where there appears a discrepancy between the unit price and the extension (total) of a unit price, the amount in the unit price shall govern.

Respectfully submitted,  
 Firm Name Jeanette J. Jones & Sons Inc.  
 Signed by Joseph R. Jeanette  
 Address 2019 Hwy 36 E.  
N.W. St. Paul, MN 55109  
 Phone Number 651-779-0541 612-889-60



**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 8C – New Business

**Town Engineer Items:**

**Subject:** White Bear Township Pavement Management Program – Authorize Preparation

**Documentation:** Town Engineer Correspondence

**Action / Motion for Consideration:**

Town Engineer Report at Meeting / Discussion

Based on Staff & Town Engineer Review & Recommendation Authorize TKDA to Prepare a Pavement Management Plan Which Will Assist the Town Board in the Planning, Funding & Communication of Street Improvement Projects within the Township at a Cost Not To Exceed \$36,800, With Funding From the 505 Improvement Fund



444 Cedar Street, Suite 1500  
Saint Paul, MN 55101  
651.292.4400  
tkda.com

September 13, 2018

Honorable Chairman and Town Board  
White Bear Township, Minnesota

RE: Pavement Management Plan  
White Bear Township, Minnesota  
TKDA Project No. 16627.000

Dear Board Members:

At the last Town Board meeting on September 5<sup>th</sup>, I provided a presentation on pavement management. The Town Board then discussed overall pavement management and requested a quote from the TKDA to define a program for overall pavement management within the community.

I have prepared an outline below of the steps to complete an evaluation and preparation of a Pavement Management Plan for White Bear Township. The steps would include the following:

1. Street Network Research
2. Mapping of Street Network Ratings
3. Cost Verification of Mill and Overlay Areas
4. Cost Verification of Rehabilitation and Reconstruction Areas
5. Field Verification of Areas
6. Project Area Mapping by Year
7. Preliminary Assessment Calculations
8. Street Improvement Communication Outline
9. Communication Brochure Template
10. Pavement Management Booklet
11. Website Information
12. Funding Plan
13. Meetings with Township Staff

These steps will assist the Board in planning, funding, and communication of street improvement projects within the Township.

TKDA offers to complete these steps for a not to exceed cost of \$36,800. The Pavement Management Plan will be funded through Street Fund. It is anticipated that the process for the completion of the plan will be iterative, but it is expected that the work would be completed by December of 2018. We will keep the Town Board updated throughout the process.

Pavement Management  
White Bear Township  
September 13, 2018  
Page 2

Performing the right improvement at the right time provides the best value to the Township by maximizing the longevity of pavement life. I am excited to be part of this process to produce a quality Pavement Management Plan that provides the best value to the citizens of White Bear Township. Please contact me with any questions.

Sincerely,



Larry Poppler, PE  
Principal in Charge



**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 8D – New Business

**Town Engineer Items:**

**Subject:** Annual Storm Sewer System Inspection – Authorize Inspections

**Documentation:** Town Engineer Correspondence /  
Public Works Director Memo

**Action / Motion for Consideration:**

Town Engineer Report at Meeting / Discussion

Based on Town Engineer & Staff Review & Recommendation Authorize TKDA to Complete the Necessary Stormwater System Inspections Needed to Complete Township Maintenance of the System in An Amount Not to Exceed \$18,000, Which Work Will Also Include a Summary Document Which Prioritizes Maintenance Activities Needed for the System



444 Cedar Street, Suite 1500  
Saint Paul, MN 55101  
651.292.4400  
tkda.com

September 13, 2018

Honorable Chairman and Town Board  
White Bear Township, Minnesota

RE: Stormwater System Inspection Assistance  
White Bear Township, Minnesota  
TKDA Project No. 16627.000

Dear Board Members:

The Township is responsible for inspection and maintenance of the storm sewer system including approximately 16 miles of storm sewer pipe, 93 stormwater ponds, 664 catch basins, 136 manholes, and 340 flared end sections. As a requirement of the Minnesota Pollution Control Agency, the stormwater system must be inspected and conditions documented.

The criteria below must be examined during the inspection:

1. Determine if the stormwater system, basin or pond inlet(s) and outlet(s) are in good working condition and able to perform their intended function.
2. Identify misaligned inlets or outlets/overflow devices
3. Identify and record.
  - Scour
  - Erosion
  - Significant sedimentation
  - Clogged or overloaded system, inlets, or outlets
  - Other problems at or around the pond banks, inlets or outlets
4. Identify excess or unwanted vegetation
5. Identify and record materials within the device that are deteriorating and releasing pollution into the storm-water system.
6. Take the following pictures
  - Storm system inlets, outlets, structures
  - Overall pond
  - Pond inlet(s)
  - Pond outlet
  - Any areas of concern
7. For infiltration practices that should be dry (e.g. infiltration basins, filter strips/swales) identify standing water or wet spots. If standing water is present, determine if the device is functioning as designed and meeting the 48 hour draw down requirement

Stormwater System Inspection  
White Bear Township  
September 13, 2018  
Page 2

8. Use collected data to determine a maintenance and material removal schedule for each device. If work is needed:
  - Inform Township Staff of maintenance needed.
  - Record anticipated and actual work dates

Township staff have inspected approximately one third of the ponds within the system and all of the outfalls to the lakes. Additional inspection is necessary to get up to date with required inspections both for MPCA requirements and Township maintenance of the stormwater system.

TKDA offers to complete inspections for the remaining system for a not to exceed cost of \$18,000. This work will also include a summary document which prioritizes maintenance activities needed for the system. It is anticipated that this work would be completed by November of 2018.

Stormwater system inspection assistance will be funded through the Stormwater Utility Fund. Please contact me with any questions.

Sincerely,



Larry Poppler, PE  
Principal in Charge

## MEMORANDUM

Date: September 11, 2018

To: Town Board

From: Dale Reed, Public Works Director

Re: TKDA MS-4 Inspection Services

The Town's Public Works staff have been attempting to keep up with the inspections required of the MS-4 permit. The challenges are balancing other maintenance priorities under the Public Works realm. Demands placed on staff by managing routine maintenance tasks within the realms of streets, parks, water, sanitary sewer, stormwater, special events, joint projects with other jurisdictions, and contract maintenance obligations with other Cities has provided a challenge for staff to keep up with the MS-4 inspections. The other challenge is funding the repairs and eventually managing the potential projects identified in the inspections to date.

The inspections required for basins and ponds are 20% annually, with all ponds inspected every five years. We have inspected roughly 1/3 of the 93+ ponds in the latest five year permit cycle (2013-2017). It is also a challenge for staff to meet the expected documentation requirements since we have no GIS/Asset Management capabilities. The documentation is all on paper and then needs to be transferred into a spreadsheet that all allow for human error when performing data entry.

Town staff is recommending that the Town Board authorize TKDA to provide inspection services for the remaining basins and ponds, along with the required MS-4 documentation.



**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 8E – New Business

**Town Engineer Items:**

**Subject:** SE Area Street Improvements – Authorize Survey & Testing of Area

**Documentation:** Town Engineer Correspondence w/ attachment

**Action / Motion for Consideration:**

Town Engineer Report at Meeting / Discussion

Based on Town Engineer & Staff Review & Recommendation Authorize TKDA to Complete Data Collection in the SE Area of the Township Including Field Survey & Geotechnical Exploration for an Amount Not to Exceed \$25,500 With Funding From the 505 Improvement Fund



444 Cedar Street, Suite 1500  
Saint Paul, MN 55101  
651.292.4400  
tkda.com

September 13, 2018

Honorable Chairman and Town Board  
White Bear Township, Minnesota

RE: Southeast Area Data Collection  
White Bear Township, Minnesota  
TKDA Project No. 16627.000

Dear Board Members:

At the last Town Board meeting on September 5<sup>th</sup>, I provided a presentation on pavement management. Two members of the public spoke at the Town Board meeting expressing concern for their streets within the SE Area of the Township and their preference for completing improvements to their streets as soon as possible.

TKDA has provided a quote for the completion of a Pavement Management Plan. If this quote is approved by the Board, the work is likely to conclude in December. By this time it would be difficult to complete the data collection necessary to deliver a street project in 2019.

The street conditions in the SE area are poor and this area will be programed as a part of the Pavement Management Plan to be completed soon. As a parallel process to the Pavement Management Plan process, the Town Board could start data collection now for the SE area north of County Road F. With data collection complete, this data could be used over the winter months to develop plans for delivery of a project in the summer of 2019.

TKDA offers to complete data collection including field survey and geotechnical exploration for a not to exceed cost of \$25,500. It is anticipated that this work would be completed by December of 2018.

SE area data collection would be funded through Street Fund which would be reimbursed once a project has been approved and assessed. Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry Poppler'.

Larry Poppler, PE  
Principal in Charge





**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 8F – New Business

**Public Works Director Item:**

**Subject:** **Bellaire Beach House Interior & Exterior Painting –  
Receive & Award Quote.**

**Documentation:** Public Works Director Memo w/ attachments

**Action / Motion for Consideration:**

Report at Meeting / Discussion

Based on Public Works Director Review & Recommendation:

- 1) Receive the Quotes From Elite Finisher, Inc., in the Amount of \$9,637.00 & Fresh Paint, Inc., in the Amount of \$8,775.00
- 2) Aware the Quote to the Low Bidder, Fresh Paint, Inc., in the Amount of \$8,775.00 With Funding from the Parks & Recreation Account of the General Fund

## MEMORANDUM

Date: September 13, 2018

To: Town Board

From: Dale Reed, Public Works Director

Re: Bellaire Beach House Interior and Exterior Painting Quotes

The Township entered into a 99-year lease agreement for Bellaire Beach, located at 2499 South Shore Boulevard, with Ramsey County on May 23, 1989. As part of the lease the Township, the Township has the responsibility to “maintain the property in good repair and tenantable condition”. In order to meet the intent of this agreement certain improvements will need to be made in 2018.

The roof replacement was completed in the spring of this year for \$35,900.00, leaving a balance of \$24,100.00 for plumbing and bathroom renovations estimated at \$8,000.00, metal door and frame replacements for \$4,587.96, and painting of the exterior and interior for \$8,775.00. Leaving a balance of \$2,737.04, for a storage pod to remove all the items stored in the Beach House over the winter temporarily while the painting work is completed and lighting efficiency improvements for the interior of the Beach House.

Staff requested quotes from three contractors. Two of them provided proposals for complete painting of the interior and exterior as specified:

- Elite Finisher, Inc. for \$9,637.00 and
- Fresh Paint, Inc. for \$8,775.00.

Staff is recommending approving the proposal from Fresh Paint, Inc. for the painting of the interior and exterior of the Bellaire Beach House. Fresh Paint, Inc. completed painting projects for the Township in past.

The project is identified in the 2018-2027 CIP for \$60,000.00 with funding from the Parks and Recreation Account of the General Fund in 2018.

Town Board action requested is to accept the quotes and approve the quote from Fresh Paint, Inc. for \$8,775.00.



3572 Hoffman Rd East  
St. Paul, MN 55110

P 651-429-4475  
F 651-429-5487

PROPOSAL & CONTRACT

**Job #** 14748      **Bid Date** 8/15/2018  
**Source** PREVIOUS CLIENT  
**Name** DALE REED  
 WHITE BEAR TOWNSHIP  
 1281 HAMMOND ROAD  
 WHITE BEAR TOWNSHIP, MN 55110-  
 (651) 747-2777  
 (651) 429-7829  
**Job Info** BELLAIRE BEACH GUARD STATION  
 PREP/PAINT INTERIOR & EXT.  
 SO. SHORE DR./BELLAIRE WBL  
**Estimator** LARRY ZACK

QTY	Unit - Item - Description	# Coats	Finish	Unit Price	Total
<b>EXTERIOR</b>					
1	POWERWASH SURFACES TO CLEAN			\$450.00	\$450.00
1	5' WOOD SOFFIT OVERHANG + BEAMS - PREP/PAINT	2	A	\$1,150.00	\$1,150.00
1	UPPER WOOD BAND W/VENTS	2	A	\$495.00	\$495.00
1	770 SQ. FT. BLOCK SPACE	2	A	\$1,155.00	\$1,155.00
1	PREP/PAINT STEEL SERVICE DOORS	2	B	\$255.00	\$255.00
<b>INTERIOR - LIFE GUARD STATION</b>					
1	PREP/PAINT CEILINGS, WALLS, DOORS & FLOOR	2	A	\$3,485.00	\$3,485.00
<b>INTERIOR - MEN'S/WOMEN'S ROOM</b>					
1	PREP/PAINT CEILINGS, WALLS, DOORS & FLOOR	2	A	\$1,785.00	\$1,785.00

PRICES INCLUDE LABOR, MATERIALS, TAXES AND INSURANCE.  
 ALL MATERIALS TO BE TOP QUALITY PITTSBURGH PAINT/SHERWIN WILLIAMS PRODUCTS AS SPECIFIED BELOW.

- > PROJECT TO BE DONE AFTER LABOR DAY WEEKEND.
- > LIFE GUARD STATION INCLUDES CONCESSION AREA.

Code	Finish	Color	
A	TBD	CLIENT CHOICE	
B			
C			
D			
			<b>Grand Total - &gt; \$8,775.00</b>

- > ALL MATERIALS TO BE APPLIED IN STRICT ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS REGARDING SURFACE PREPARATION AND COATING APPLICATION.
- > ALL EDGES AND JOINTS BETWEEN SURFACES TO BE CLEAN AND SHARP.
- > MULTIPLE COATS AS INDICATED ARE NEEDED FOR GOOD DURABILITY AND COVERAGE.
- > NO MATERIALS TO BE APPLIED IN ADVERSIVE CONDITIONS.
- > PRICES INCLUDE: CLEAN; SCRAPE; PRIME ANY BARE AREAS ON SURFACES TO BE PAINTED; FINISH.
- > JOB SITE TO BE LEFT NEAT AND CLEAN AT THE END OF EACH WORK DAY.

Client agrees to all terms and conditions of this contract proposal, on both front and reverse sides.

Larry Zack      8/15/18      \_\_\_\_\_      \_\_\_\_\_  
 FRESH PAINT INC      DATE      CLIENT      DATE

Elite Finisher, Inc.  
 2330 Leibel Street, Suite 101  
 White Bear Township, MN 55110  
 (651) 207-6927  
 messaging@elitefinisher.com  
 www.elitefinisher.com



# ESTIMATE

**ADDRESS**

Pete Tholen  
 White Bear Township

**ESTIMATE #** 18-0431

**DATE** 08/20/2018

PO	PROJECT	ADDRESS
18-0431	Belair Beach	2499 Bellaire Ave WBL

ACTIVITY	QTY	RATE	AMOUNT
<b>Painting</b> - Pressure wash the exterior, concrete floor and parts of the interior of the building - Spray and back roll on 2 coats of Loxon XP to the exterior masonry block on the building. Color white or off white. - Paint new and old metal door frames and doors throughout the property. - Prime and paint the cedar wood stripe above the large roof. - On the upper and lower roof eaves, scrape all loose paint and prime one full coat of PeelBond primer to all exterior wood surfaces. This does not include the prefinished roof or the metal truss end caps. - Paint the exterior eaves, trusses, and metal grates with 2 coats of Emerald Exterior Satin Finish to match the standing seam roof - Scrape and prime if needed on the interior. - Paint metal door with pre-cat epoxy from Sherwin Williams -Paint the interior concrete walls and ceiling with 2 coats of pre-cat epoxy semi gloss. Color same white as exterior concrete block.	1	6,986.00	6,986.00
Note: if the colors change the price won't be affected as long as the new colors stay in the same areas/spots as stated in estimate. Adjustments can be made if needed.			
Excluded (We will not be painting) - Concession stand door - Standing seam roof - Trust end caps - Pre finished metal			
<b>Paint Floor</b> -Acid etch the interior area of the floor that will be coated. -Apply two coats of Armor Seal Tread Plex from Sherwin Williams. -Color standard Gary.	1	2,651.00	2,651.00

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Elite Finisher does require 30% down to start all jobs.

TOTAL

**\$9,637.00**

Accepted By

Accepted Date



**Town Board Meeting  
September 17, 2018**

**Agenda Number:** **8G – New Business**

**Finance Officer Item:**

**Subject:** **2019 Preliminary Tax Levy – Resolution Reducing Tax Levy Pursuant to Minnesota Statutes, Section 475.61**

**Documentation:** Finance Officer Memo /  
Resolution Adopting the Preliminary Amount to be Raised by Property Taxes for the Year 2019

**Action / Motion for Consideration:**

Finance Officer Report at Meeting / Discussion

Based on Finance Officer Review & Recommendation Adopt the:

Resolution Adopting the Preliminary Amount to be Raised by Property Taxes For the Year 2019.

**Prudhon – Moves**

**Ruzek – Seconds**

**Consideration of Adopting Resolution Setting the 2019 Preliminary Tax Levy.** (TK)

**A. REFERENCE AND BACKGROUND:**

The Township is required to certify its 2019 preliminary property tax levy to the County no later than October 1, 2018. This is the tax levy the County will use on the Truth-In-Taxation notices mailed in mid-November. Once the preliminary levy is certified to the County, the Town can lower the levy prior to final levy certification in December but the final levy cannot exceed the certified preliminary levy.

As in the past, the Town residents approved a preliminary levy of \$3,868,742 at the Annual Town Meeting back in March. As staff has received budget requests from other agencies and adjusted other line item budgets, the proposed levy has been lowered to \$3,786,589. Therefore, staff recommends a 2019 preliminary levy of \$3,786,589 be certified.

A preliminary levy of \$3,786,589 when applied against the Town's tax capacity would give the Town a tax rate of 24.342%, which is lower than the final 2014 rate of 23.991% and 2013 rate of 25.246%. However, it is higher than both the final 2018 rate of 21.568% and the 2018 preliminary rate of 23.910%.

The attached resolution demonstrates how much the preliminary property tax levy is for fiscal disparities and general operations. If the resolution were not passed by October 1<sup>st</sup> the County would be required to certify the Town's 2018 property tax levy as its 2019 preliminary property tax levy.

- A1. Budget Impact:** The passing of this resolution sets the maximum amount of taxes to be levied for 2019 to pay for operations and debt repayment.
- A2. Staff Workload Impact:** There are no staff workload impacts for this item.

**B. ALTERNATIVE ACTIONS:**

1. Adopt the resolution as attached to set the 2019 preliminary tax levy.
2. Adopt a resolution for the 2019 preliminary tax levy by some other amount.
3. Do not adopt a resolution to set the 2019 preliminary tax levy.

**C. STAFF RECOMMENDATION:**

Staff recommends alternative #1 for the adoption of the resolution as attached to set the 2019 preliminary property tax levy.

**D. SUPPORTING DATA:**

Resolution adopting the 2019 preliminary property tax levy.

EXTRACT OF MINUTES OF A MEETING OF THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA, HELD ON SEPTEMBER 17, 2018

Pursuant to due call and notice thereof, a regular meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on September 17, 2018, at 7:00 o'clock p.m.

The following members were present: Kermes, Prudhon, Ruzek; and the following members were absent: None.

Supervisor Prudhon introduced the following Resolution and moved its adoption:

**RESOLUTION ADOPTING THE PRELIMINARY AMOUNT TO BE RAISED BY PROPERTY TAXES FOR THE YEAR 2019**

WHEREAS, the Annual Town Meeting held on March 13, 2018, voted to raise by taxation an amount not to exceed \$3,868,742,

AND WHEREAS, at the Town Board meeting held on September 17, 2018, the Town Board voted to raise by taxation a preliminary property tax levy of \$3,786,589,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA:

1. The preliminary amount to be raised by taxation of said Town in the year 2019 for Town purposes is as follows:

Property Tax	\$ 3,507,295
Fiscal Disparities	\$ 279,294
Debt Levy	\$ 00
Market Value Debt Levy	\$ <u>00</u>
Total Levy	\$ 3,786,589

2. That a certified copy of this Resolution be submitted to the Ramsey County Department of Property Taxation.





**Town Board Meeting  
September 17, 2018**

**Agenda Number: 8H – General Business**

**Utility Commission Recommendation:**

**Subject: 2019 Utility Rates - Approve**

**Documentation: Finance Officer Memo w/ attachments**

**Action / Motion for Consideration:**

Finance Officer Report at Meeting / Discussion

Based Utility Commission & Finance Officer Review & Recommendation  
Approve the 2019 Utility Rates as Proposed by the Finance Officer

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**Minutes  
Utility Commission Meeting  
August 9, 2018**

**UTILITY RATE CHANGES:** The Finance Officer stated that annually the Utility Commission reviews the Town's utility rates. The goal of the Town's utility rates is to cover 100% of operation costs and 75% of depreciation. Cash balances of each fund may increase or decrease from one year to the next based on improvement projects funded by each fund. The projected revenues, expenses and changes in cash balances based on proposed rate increases and improvement projects were reviewed.

The proposed water rates, sewer rates, and storm water rates were reviewed as follows:

**2019 Proposed Water Rates:**

Base Rate: \$21.25

Volume Rates:

Tier 1	(0 – 20,000)	\$ 2.35
Tier 2	(20,001 – 32,000)	\$ 2.60
Tier 3	(32,001 – 44,000)	\$ 3.38
Tier 4	(44,001 + )	\$ 5.75

Irrigation:

Residential: \$ 3.38

Commercial \$ 4.20

**2019 Proposed Sewer Rates:**

Base Rate:

Residential \* \$51.00  
Commercial \$45.15

Volume Rate

Residential \* \$ 4.00  
Commercial \$10.00

\*Residential base rate includes up to 5,000 gallons of usage. Any usage over 5,000 gallons will be billed \$3.00 per 1,000 gallons plus the base rate.

**2019 Proposed Storm Water Rates:**

Per Quarter: \$21.00

All volume rates are per thousand gallons with the sewer rate based on winter quarter water usage for residential customers.

The increased 2019 rates will be effective on the January/February/March utility bills. Notice of the proposed rate changes will be sent to customers beginning with the next utility bill.

**Fredericks moved to recommend to the Town Board to approve the proposed 2019 Utility Rates as proposed, effective with the January, February, March utility billing noting that notice will be sent to utility customers prior to the change. McCune seconded. Ayes all.**

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Minutes  
Utility Commission Meeting  
June 14, 2018

**UTILITY RATE CHANGES:** Annually the Utility Commission reviews the Town's utility rates. The goal of the Town's utility rates is to cover 100% of operation costs and 75% of depreciation. Cash balances of each fund may increase or decrease from one year to the next based on improvement projects funded by each fund.

The projected revenues, expenses and changes in cash balance based on proposed rate increases and improvement projects were reviewed. Changes in proposed residential utility bills and the current 10-year CIP as it relates to the utility funds were reviewed as well as the Water Fund, Sewer Fund, and Storm Water Fund. The Finance Officer will review the numbers in all three funds, update the reports and bring back for discussion.

**6B. Consideration of Utility Rate Increase. (TK)**

The Town’s Utility Commission in August recommended the Town increases its utility rates per attached. These rate increases would generate revenues to cover 100% of operations and some of the asset depreciation costs. Proposed improvements to the systems based on the current 10-year capital improvement plan cause the funds to show a loss of cash. The new rates would be as follows:

CURRENT AND NEW (2019) UTILITY RATES					
WATER RATES					Proposed
		2016	2017	2018	2019
	Gallons	Rate	Rate	Rate	Rate
Base Rate		\$ 17.75	\$ 19.20	\$ 20.50	\$ 21.25
Volume Rate:					
Tier 1	0 - 20,000	\$ 1.95	\$ 2.01	\$ 2.25	\$ 2.35
Tier 2	20,001 - 32,000	\$ 2.15	\$ 2.21	\$ 2.45	\$ 2.60
Tier 3	32,001 - 44,000	\$ 2.57	\$ 2.76	\$ 3.10	\$ 3.38
Tier 4	44,001 +	\$ 3.86	\$ 4.14	\$ 4.60	\$ 5.75
Irrigation:					
Residential		\$ 2.57	\$ 2.76	\$ 3.10	\$ 3.38
Commercial		\$ 2.57	\$ 2.76	\$ 3.85	\$ 4.20
SEWER RATES					
	Gallons	Rate	Current	Current	Proposed
Base Rate:					
Residential *		\$ 46.00	\$ 48.38	\$ 50.80	\$ 51.00
Commercial		\$ 40.60	\$ 42.82	\$ 45.00	\$ 45.15
Volume Rate:					
Residential *		\$ 1.08	\$ 2.00	\$ 3.00	\$ 4.00
Commercial		\$ 2.50	\$ 5.00	\$ 7.50	\$ 10.00
* Residential base rate includes up to 5,000 gallons of usage. Any usage over 5,000 gallons will be billed \$3.00 per 1,000 gallons plus the base rate.					
STORM WATER RATES					
	Gallons	Rate	Current	Current	Proposed
Per Quarter		\$ 17.00	\$ 20.00	\$ 20.00	\$ 21.00
All volume rates are per thousand gallons with the sewer rate based on winter quarter water usage for residential customers.					

For the Water Fund the new rates are estimated generate revenues of \$1,897,181 to offset expenses (including depreciation) of \$2,385,681. This covers all operating costs, a small part of the depreciation costs, and \$500,000 to replace water meters. Revenues are dependent on actual water use.

The new sanitary sewer rates are estimated to generate revenues of \$2,152,946 against \$2,390,440 of expenses. Again, revenues will cover 100% of operating expenses but not all of the depreciation costs.

Finally, the new storm water rate is needed to cover 100% of operating costs, 75% of depreciation and a portion of capital costs. Revenues are estimated at \$563,170 with expenses of \$939,966, which includes \$605,000 of capital improvements.

The effects of these increases would be that resident would see around a \$5.60 to \$88.77 per quarter increase in their utility bills for 2019. Actual increases would depend on water usage.

The Town needs to approve the new rates before December in order for the rates to be affective with the January, February, March billing cycle.

**A. REFERENCE AND BACKGROUND:**

**A1. Budget Impact:** The utility rates will be used to estimate revenues in the utility funds for 2019.

**A2. Staff Workload Impact:** There is no staff impact.

**B. ALTERNATIVE ACTIONS:**

1. Approve the 2019 utility rates as proposed.
2. Approve 2019 utility rates at a rate different from proposed.
3. Do not approve the 2019 utility rates.

**C. STAFF RECOMMENDATION:**

1. Staff recommends alternative 1, which was recommended by the Town's Utility Commission.

**D. SUPPORTING DATA:**

Water, Sanitary Sewer, and Storm Water Utility Fund projections using the proposed rates.

Estimated bill comparison.

WATER FUND (No Irrigation Ban)  
Total

%	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Increase	Actual	Actual	Budget	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected
105.00%	\$326,665	\$344,518	\$363,318	\$381,484	\$400,558	\$420,586	\$441,615	\$463,696	\$486,881	\$511,225	\$536,786	\$563,625
103.00%	\$128,864	\$182,724	\$222,950	\$229,639	\$236,528	\$243,623	\$250,932	\$258,460	\$266,214	\$274,200	\$282,426	\$290,899
103.00%	\$537,520	\$697,231	\$621,780	\$650,433	\$669,946	\$690,045	\$710,746	\$732,069	\$754,031	\$776,651	\$799,951	\$823,950
0.00%	\$0	\$0	\$0	\$500,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
100.00%	\$317,323	\$306,255	\$333,750	\$337,500	\$341,250	\$345,000	\$348,750	\$352,500	\$356,250	\$360,000	\$363,750	\$367,500
0.00%	\$336,208	\$326,030	\$282,750	\$286,625	\$37,969	\$38,836	\$39,605	\$0	\$0	\$0	\$0	\$0
0.00%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$1,646,580	\$1,856,758	\$1,824,548	\$2,385,681	\$1,686,251	\$1,738,090	\$1,791,649	\$1,806,725	\$1,863,375	\$1,922,077	\$1,982,914	\$2,045,974
Total Expenses												
	\$1,436,815	\$1,494,726	\$1,588,847	\$1,897,181	\$1,922,565	\$2,001,909	\$2,072,817	\$2,129,188	\$2,188,658	\$2,246,553	\$2,306,292	\$2,369,194
Total Revenues												
Gain/(Loss)	(209,764.95)	(362,031.79)	(235,701.18)	(488,500.13)	236,313.59	263,818.68	281,168.37	322,463.67	325,282.71	324,476.10	323,378.23	323,220.01
Cash Balance	2,276,379.44	937,787.04	952,142.62	(321,201.54)	253,520.63	862,383.85	1,413,185.73	2,065,980.05	2,585,820.79	3,142,345.15	3,800,167.46	4,408,878.13
Beginning Cash Balance	2,725,129.75	2,276,379.44	937,787.04	952,142.62	(321,201.54)	253,520.63	862,383.85	1,413,185.73	2,065,980.05	2,585,820.79	3,142,345.15	3,800,167.46
Gain/(Loss) From Volume	(248,561.80)	(308,572.50)	(220,644.42)	(474,344.16)	271,972.17	270,363.22	268,551.88	306,794.32	305,090.74	303,024.35	300,572.31	297,710.67
Gain/(Loss) From Fixed	38,796.85	(53,459.29)	(15,056.76)	(14,155.97)	(35,658.58)	(6,544.54)	12,616.48	15,669.35	20,191.97	21,451.74	22,805.92	25,509.34
Plus Depreciation	423,097.00	408,340.00	445,000.00	450,000.00	455,000.00	460,000.00	465,000.00	470,000.00	475,000.00	480,000.00	485,000.00	490,000.00
Less Improvements	662,082.36	1,438,359.90	210,000.00	1,136,500.00	38,500.00	6,500.00	66,500.00	6,500.00	141,500.00	106,500.00	6,500.00	56,500.00
Ending Cash Balance	2,276,379.44	937,787.04	952,142.62	(321,201.54)	253,520.63	862,383.85	1,413,185.73	2,065,980.05	2,585,820.79	3,142,345.15	3,800,167.46	4,408,878.13

WATER FUND (No Irrigation Ban)  
Fixed (Flat) Rates

% Increase	2016 Actual	2017 Actual	2018 Budget	2019 Projected	2020 Projected	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected	2026 Projected	2027 Projected
105.00%	\$244,999	\$258,389	\$272,489	\$286,113	\$300,419	\$315,439	\$331,211	\$347,772	\$365,161	\$383,419	\$402,590	\$422,719
103.00%	12,177	11,586	13,750	14,163	14,587	15,025	15,476	15,940	16,418	16,911	17,418	17,941
103.00%	168,862	166,874	179,780	185,173	190,729	196,450	202,344	208,414	214,667	221,107	227,740	234,572
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
100.00%	0	0	0	0	0	0	0	0	0	0	0	0
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
Total Fixed Expenses	\$426,038	\$436,849	\$466,019	\$485,449	\$505,735	\$526,915	\$549,031	\$572,126	\$596,246	\$621,436	\$647,748	\$675,232
Total Revenues	\$464,835	\$383,389	\$450,962	\$471,293	\$470,076	\$520,370	\$561,648	\$587,796	\$616,438	\$642,888	\$670,554	\$700,741
Gain/(Loss)	\$38,797	(\$53,459)	(\$15,057)	(\$14,156)	(\$35,659)	(\$6,545)	\$12,616	\$15,669	\$20,192	\$21,452	\$22,806	\$25,509
Quarterly Expenses	\$106,509.49	\$109,212.13	\$116,504.63	\$121,362.21	\$126,433.64	\$131,728.74	\$137,257.80	\$143,031.59	\$149,061.40	\$155,359.04	\$161,936.91	\$168,807.96
Penalties	\$9,723.45	\$8,323.70	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
2.00% Interest Earnings	\$21,587	(\$4,310)	\$4,689	\$4,761	(\$1,606)	\$1,268	\$4,312	\$7,066	\$10,330	\$12,929	\$15,712	\$19,001
Quarterly Expenses for Rates	\$84,922	\$105,198	\$101,816	\$106,601	\$118,040	\$120,461	\$122,946	\$125,966	\$128,731	\$132,430	\$136,225	\$139,807
Flat (Base) Rate	\$17.75	\$19.20	\$20.50	\$21.25	\$22.50	\$24.50	\$26.00	\$26.78	\$27.58	\$28.41	\$29.26	\$30.14
% of Revenue Residential	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
# of Residential Customers	4,642	4,642	4,642	4,695	4,695	4,695	4,695	4,695	4,695	4,695	4,695	4,695
% of Revenue Commercial	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
# of Commercial Customers	141	141	141	155	155	155	155	155	155	155	155	155
Revenue per Quarter	\$84,898.25	\$91,833.60	\$98,051.50	\$103,062.50	\$109,125.00	\$118,825.00	\$126,100.00	\$129,883.00	\$133,779.49	\$137,752.87	\$141,926.66	\$146,184.46

WATER FUND (No Irrigation Ban)  
Volume (Usage) Rate

% Increase	2016 Actual	2017 Actual	2018 Budget	2019 Projected	2020 Projected	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected	2026 Projected	2027 Projected
105.00%	581,666	586,130	590,830	595,371	\$100,140	\$105,146	\$110,404	\$115,924	\$121,720	\$127,806	\$134,197	\$140,906
103.00%	116,687	171,138	209,200	215,476	221,940	228,598	235,456	242,520	249,796	257,290	265,008	272,959
103.00%	368,658	530,357	442,000	465,260	479,218	493,594	508,402	523,654	539,364	555,545	572,211	589,377
0.00%	0	0	0	500,000	0	0	0	0	0	0	0	0
100.00%	317,323	306,255	333,750	337,500	341,250	345,000	348,750	352,500	356,250	360,000	363,750	367,500
0.00%	336,208	326,030	282,750	286,625	37,969	38,836	39,605	0	0	0	0	0
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
	\$1,220,542	\$1,419,910	\$1,358,530	\$1,900,232	\$1,180,317	\$1,211,175	\$1,242,617	\$1,234,598	\$1,267,130	\$1,300,641	\$1,335,166	\$1,370,742
Total Fixed Expenses												
Total Revenues	\$971,980	\$1,111,337	\$1,137,885	\$1,425,888	\$1,452,489	\$1,481,539	\$1,511,169	\$1,541,393	\$1,572,221	\$1,603,665	\$1,635,738	\$1,668,463
Gain/(Loss)	(\$248,562)	(\$308,573)	(\$220,644)	(\$474,344)	\$271,972	\$270,363	\$268,552	\$306,794	\$305,091	\$303,024	\$300,572	\$297,711
Quarterly Expenses	\$305,135.50	\$354,977.38	\$339,632.38	\$475,057.99	\$295,129.15	\$302,793.83	\$310,654.36	\$306,649.60	\$316,782.45	\$325,160.15	\$333,791.49	\$342,685.59
Volume (Usage) Rate												
Current Residential Rate												
1 - 20,000 gallons	1.95	2.01	2.25	2.35	2.40	2.44	2.49	2.54	2.59	2.65	2.70	2.75
20,001 - 32,000 gallons	2.15	2.21	2.45	2.60	2.64	2.69	2.74	2.80	2.85	2.91	2.97	3.03
32,001 - 44,000 gallons	2.57	2.76	3.10	3.38	3.43	3.50	3.57	3.64	3.71	3.78	3.86	3.94
44,001 + gallons	3.86	4.14	4.60	5.75	5.83	5.94	6.06	6.18	6.31	6.43	6.56	6.69
% of Revenue Commercial												
Current Commercial Rate												
1 - 20,000 gallons	1.95	2.01	2.25	2.40	2.45	2.50	2.55	2.60	2.65	2.70	2.76	2.81
20,001 - 32,000 gallons	2.15	2.21	2.45	2.64	2.69	2.75	2.80	2.86	2.91	2.97	3.03	3.09
32,001 - 44,000 gallons	2.57	2.76	3.10	3.43	3.50	3.57	3.64	3.71	3.79	3.86	3.94	4.02
44,001 + gallons	3.86	4.14	4.60	5.83	5.95	6.07	6.19	6.32	6.44	6.57	6.70	6.84
Revenue per Quarter	\$247,995.05	\$255,034.22	\$284,471.27	\$356,471.95	\$363,122.19	\$370,384.64	\$377,792.33	\$385,348.18	\$393,055.14	\$400,916.24	\$408,934.57	\$417,113.26

\* Supplies include chemicals, other operating supplies, equipment repair parts, and street materials.

\*\* Other Services & Charges include engineering, legal, misc professional services, gas, electricity, pas, and repair maintenance.

2019 improvements are for water meter replacement

\*\* 2019 includes \$10,000 for irrigation enforcement.

SANITARY SEWER FUND

Total

%	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
	Actual	Actual	Budget	Projected								
Increase Total Expenses												
105.00% Personnel Services	\$300,161	\$313,752	\$329,440	\$345,912	\$363,207	\$381,368	\$400,436	\$420,458	\$441,481	\$463,555	\$486,732	\$511,069
103.00% Supplies	\$36,490	\$29,928	\$37,900	\$39,037	\$40,208	\$41,414	\$42,657	\$43,936	\$45,255	\$46,612	\$48,011	\$49,451
103.00% Other Services & Charges	\$297,736	\$421,622	\$729,880	\$751,776	\$774,330	\$797,560	\$821,486	\$846,131	\$871,515	\$897,660	\$924,590	\$952,328
108.50% M.C.E.S. Charges	\$810,335	\$839,533	\$904,955	\$968,302	\$1,036,083	\$1,108,609	\$1,186,211	\$1,269,246	\$1,358,093	\$1,453,160	\$1,554,881	\$1,663,723
0.00% M.C.E.S. Surcharge	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
0.00% Improvements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
100.00% Depreciation	\$227,502	\$225,548	\$228,750	\$228,750	\$228,750	\$228,750	\$228,750	\$228,750	\$228,750	\$228,750	\$228,750	\$228,750
0.00% Debt Services	\$59,048	\$55,760	\$55,127	\$56,663	\$55,763	\$57,036	\$58,167	\$0	\$0	\$0	\$0	\$0
0.00% Transfers	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Expenses	\$1,731,272	\$1,886,143	\$2,286,052	\$2,390,440	\$2,498,341	\$2,614,736	\$2,737,707	\$2,808,521	\$2,945,093	\$3,089,737	\$3,242,964	\$3,405,321
Total Revenues	\$1,315,559	\$1,550,392	\$1,933,207	\$2,152,946	\$2,466,328	\$2,853,912	\$2,977,297	\$3,103,576	\$3,238,222	\$3,378,736	\$3,525,382	\$3,678,436
Gain/(Loss)	(\$415,713)	(\$335,751)	(\$352,845)	(\$237,494)	(\$32,013)	\$239,176	\$239,590	\$295,054	\$293,128	\$288,999	\$282,418	\$273,115
Beginning Cash Balance	\$1,676,890	\$1,274,228	(\$128,962)	(\$431,548)	(\$497,605)	(\$111,018)	\$543,921	\$701,437	\$1,406,581	\$2,106,962	\$2,800,377	\$3,484,374
Gain (Loss) From Volume	(886,734)	(760,131)	(827,356)	(704,325)	(506,345)	(244,896)	(255,525)	(208,564)	(221,662)	(236,854)	(254,358)	(274,413)
Gain (Loss) From Fixed	471,021	424,380	474,511	466,832	474,333	484,072	495,115	503,618	514,790	525,852	536,776	547,528
Special Assessments Collections	0	41,340	109,008	100,187	97,350	94,513	91,676	88,840	86,003	83,166	80,329	77,492
Depreciation	303,336	300,730	305,000	305,000	305,000	305,000	305,000	305,000	305,000	305,000	305,000	305,000
Less Improvements	(290,285)	(1,484,691)	(440,000)	(310,000)	(60,000)	(60,000)	(555,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)
Ending Cash	1,274,228	(128,962)	(431,548)	(497,605)	(111,018)	543,921	701,437	1,406,581	2,106,962	2,800,377	3,484,374	4,156,231

SANITARY SEWER FUND  
Fixed (Flat) Rates

% Increase	Fixed Expenses	2016 Actual	2017 Actual	2018 Budget	2019 Projected	2020 Projected	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected	2026 Projected	2027 Projected
105.00%	Personnel Services	\$225,121	\$235,314	\$247,080	\$259,434	\$272,405	\$286,026	\$300,327	\$315,343	\$331,110	\$347,666	\$365,049	\$383,302
103.00%	Supplies	11,808	11,320	14,900	15,347	15,807	16,282	16,770	17,273	17,791	18,325	18,875	19,441
103.00%	Other Services & Charges	243,871	259,220	266,480	274,474	282,709	291,190	299,926	308,923	318,191	327,737	337,569	347,696
108.50%	M.C.E.S. Charges	0	0	0	0	0	0	0	0	0	0	0	0
0.00%	Improvements	0	0	0	0	0	0	0	0	0	0	0	0
100.00%	Depreciation	0	0	0	0	0	0	0	0	0	0	0	0
0.00%	Debt Services	0	0	0	0	0	0	0	0	0	0	0	0
0.00%	Transfers	0	0	0	0	0	0	0	0	0	0	0	0
	<b>Total Fixed Expenses</b>	\$480,800	\$505,854	\$528,460	\$549,255	\$570,921	\$593,497	\$617,023	\$641,540	\$667,093	\$693,728	\$721,493	\$750,439
	<b>Total Revenues</b>	\$951,820	\$930,234	\$1,002,971	\$1,016,087	\$1,045,254	\$1,077,569	\$1,112,138	\$1,145,158	\$1,181,883	\$1,219,580	\$1,258,269	\$1,297,967
	<b>Gain/(Loss)</b>	\$471,021	\$424,380	\$474,511	\$466,832	\$474,333	\$484,072	\$495,115	\$503,618	\$514,790	\$525,852	\$536,776	\$547,528
	<b>Quarterly Expenses</b>	120,200	126,464	132,115	137,314	142,730	148,374	154,256	160,385	166,773	173,432	180,373	187,610
	<b>Penalties</b>	38,782	30,000	8,750	8,750	8,750	8,750	8,750	8,750	8,750	8,750	8,750	8,750
2.00%	<b>Interest Earnings</b>	9,003	(5,559)	(645)	(2,158)	(2,488)	(555)	2,720	3,507	7,033	10,535	14,002	17,422
	<b>Quarterly Expenses for Rates</b>	111,197	132,023	124,010	139,472	145,218	148,929	151,536	156,878	159,740	162,897	166,371	170,188
	<b>Flat (Base) Rate</b>	\$40.60	\$42.82	\$45.00	\$45.15	\$46.50	\$47.90	\$49.34	\$50.82	\$52.34	\$53.91	\$55.53	\$57.19
	Commercial/Industrial Rate	\$5.40	\$5.40	\$15.00	\$20.00	\$25.00	\$31.25	\$32.81	\$34.45	\$36.18	\$37.98	\$39.88	\$41.88
	Residential Flat (Base) Rate	\$46.00	\$48.38	\$50.80	\$51.00	\$52.53	\$54.11	\$55.73	\$57.40	\$59.12	\$60.90	\$62.72	\$64.61
	% of Revenue Residential	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	# of Residential Customers	4,642	4,642	4,642	4,695	4,695	4,695	4,695	4,695	4,695	4,695	4,695	4,695
	% of Revenue Commercial	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
	# of Commercial Customers	141	141	141	141	141	141	141	141	141	141	141	141
	<b>Revenue per Quarter</b>	\$219,256.60	\$230,617.58	\$242,153.96	\$245,811.15	\$253,185.48	\$260,781.05	\$268,604.48	\$276,662.61	\$284,962.49	\$293,511.37	\$302,316.71	\$311,386.21

SANITARY SEWER FUND  
Volume (Usage) Rate

Increase, Volume Based	2016 Actual	2017 Actual	2018 Budget	2019 Projected	2020 Projected	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected	2026 Projected	2027 Projected
105.00%	\$75,040	\$78,438	\$82,360	\$86,478	\$90,802	\$95,342	\$100,109	\$105,114	\$110,370	\$115,889	\$121,683	\$127,767
103.00%	24,682	18,608	23,000	23,690	24,401	25,133	25,887	26,663	27,463	28,287	29,136	30,010
103.00%	53,865	162,402	463,400	477,302	491,621	506,370	521,561	537,208	553,324	569,924	587,021	604,632
107.00%	810,335	839,533	904,955	968,302	1,036,083	1,108,609	1,186,211	1,269,246	1,358,093	1,453,160	1,554,881	1,663,723
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
100.00%	227,502	225,548	228,750	228,750	228,750	228,750	228,750	228,750	228,750	228,750	228,750	228,750
0.00%	59,048	55,760	55,127	56,663	55,763	57,036	58,167	0	0	0	0	0
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
Total Fixed Expenses	\$1,256,472	\$1,380,289	\$1,757,592	\$1,841,185	\$1,927,420	\$2,021,239	\$2,120,685	\$2,166,982	\$2,278,001	\$2,396,009	\$2,521,471	\$2,654,882
Total Revenues	\$363,738	\$620,157	\$930,236	\$1,136,859	\$1,421,074	\$1,776,343	\$1,865,160	\$1,958,418	\$2,056,339	\$2,159,156	\$2,267,114	\$2,380,469
Gain/(Loss)	(\$886,734)	(\$760,131)	(\$827,356)	(\$704,325)	(\$506,345)	(\$244,896)	(\$255,525)	(\$208,564)	(\$221,662)	(\$236,854)	(\$254,358)	(\$274,413)
Quarterly Expenses	\$312,618	\$345,072	\$439,398	\$460,296	\$481,855	\$505,310	\$530,171	\$541,745	\$569,500	\$599,002	\$630,368	\$663,720

Volume (Usage) Rate	2016 Actual	2017 Actual	2018 Budget	2019 Projected	2020 Projected	2021 Projected	2022 Projected	2023 Projected	2024 Projected	2025 Projected	2026 Projected	2027 Projected
Current Rate	\$1.0800	\$2.00	\$3.00	\$4.00	\$5.00	\$6.25	\$6.56	\$6.89	\$7.24	\$7.60	\$7.98	\$8.38
% of Revenue Residential	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
# of Residential Gallons	56,813,473	37,755,864	37,755,864	31,289,918	31,289,918	31,289,918	31,289,918	31,289,918	31,289,918	31,289,918	31,289,918	31,289,918
# of Residential Gallons per 1,000	56,813	37,756	37,756	31,290	31,290	31,290	31,290	31,290	31,290	31,290	31,290	31,290
Commercial/Industrial Rate	\$2.5000	\$5.00	\$7.50	\$10.00	\$12.50	\$15.63	\$16.41	\$17.23	\$18.09	\$18.99	\$19.94	\$20.94
% of Revenue Commercial	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
# of Commercial Gallons	21,435,915	15,905,517	15,905,517	26,216,001	26,216,001	26,216,001	26,216,001	26,216,001	26,216,001	26,216,001	26,216,001	26,216,001
# of Commercial Gallons per 1,000	21,436	15,906	15,906	15,906	15,906	15,906	15,906	15,906	15,906	15,906	15,906	15,906
Revenue per Quarter	\$90,934.54	\$155,039.31	\$232,558.97	\$284,214.84	\$355,268.55	\$444,085.69	\$466,289.98	\$489,604.47	\$514,084.70	\$539,788.93	\$566,778.38	\$595,117.30

\* Supplies include chemicals, other operating supplies, equipment repair parts, and building repair supplies.  
 \*\* Other Services & Charges include electricity and repair maintenance.

STORMWATER FUND

Total

%	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Increase	Total	Budget	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected
Total Expenses	Actual											
105.00%	\$86,253	\$91,431	\$106,105	\$111,410	\$116,981	\$122,830	\$128,971	\$135,420	\$142,191	\$149,300	\$156,765	\$164,604
103.00%	\$6,618	\$3,943	\$4,950	\$5,099	\$5,251	\$5,409	\$5,571	\$5,738	\$5,911	\$6,088	\$6,271	\$6,459
103.00%	\$75,225	\$117,289	\$162,135	\$166,999	\$172,009	\$177,169	\$182,484	\$187,959	\$193,598	\$199,406	\$205,388	\$211,549
0.00%	\$34,604	\$222,596	\$460,000	\$605,000	\$215,000	\$255,000	\$305,000	\$330,000	\$340,000	\$305,000	\$305,000	\$305,000
100.00%	\$20,407	\$19,080	\$22,500	\$23,625	\$24,806	\$26,047	\$27,349	\$28,716	\$30,152	\$31,660	\$33,243	\$34,905
0.00%	\$29,004	\$27,389	\$27,078	\$27,833	\$27,391	\$28,016	\$28,571	\$0	\$0	\$0	\$0	\$0
0.00%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$252,111	\$481,728	\$782,768	\$939,966	\$561,438	\$614,471	\$677,947	\$687,833	\$711,851	\$691,454	\$706,666	\$722,517
Total Expenses												
	\$317,283	\$572,178	\$537,748	\$563,170	\$587,326	\$611,508	\$636,832	\$663,370	\$691,038	\$719,921	\$749,964	\$781,311
Total Revenues												
	\$65,171	\$90,450	(\$245,020)	(\$376,796)	\$25,887	(\$2,963)	(\$41,115)	(\$24,464)	(\$20,814)	\$28,467	\$43,298	\$58,795
Gain/(Loss)												
	\$12.21	\$20.00	\$20.00	\$21.00	\$21.99	\$22.89	\$23.85	\$24.86	\$25.90	\$27.00	\$28.12	\$29.30
Storm Water Rate												
	452,800.70	745,181.27	892,279.70	690,809.30	359,063.58	431,575.72	476,891.87	485,792.31	513,167.21	546,106.43	630,336.94	731,508.34
Beginning Cash Balance	65,171.23	90,449.43	(245,020.40)	(376,795.72)	25,887.15	(2,962.61)	(41,114.74)	(24,463.55)	(20,813.65)	28,467.49	43,297.74	58,794.64
Gain/(Loss) From Improvements	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Gain/(Loss) From Operating	27,209.34	25,440.00	30,000.00	31,500.00	33,075.00	34,728.75	36,465.19	38,288.45	40,202.87	42,213.01	44,323.66	46,539.85
Depreciation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grant Proceeds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Special Assessment Collection	0.00	31,209.00	13,550.00	13,550.00	13,550.00	13,550.00	13,550.00	13,550.00	13,550.00	13,550.00	13,550.00	13,550.00
Transfers In	200,000.00											
Ending Cash Balance	745,181.27	892,279.70	690,809.30	359,063.58	431,575.72	476,891.87	485,792.31	513,167.21	546,106.43	630,336.94	731,508.34	850,392.83

STORMWATER FUND

Operating

%	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Increase	Actual	Actual	Budget	Projected								
105.00%	\$86,253	\$91,431	\$106,105	\$111,410	\$116,981	\$122,830	\$128,971	\$135,420	\$142,191	\$149,300	\$156,765	\$164,604
103.00%	3,824	3,729	3,950	4,069	4,191	4,316	4,446	4,579	4,717	4,858	5,004	5,154
103.00%	69,513	108,739	147,135	151,549	156,096	160,778	165,602	170,570	175,687	180,957	186,386	191,978
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
100.00%	0	0	0	0	0	0	0	0	0	0	0	0
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
0.00%	0	0	0	0	0	0	0	0	0	0	0	0
Total Fixed Expenses	\$159,590	\$203,899	\$257,190	\$267,028	\$277,267	\$287,924	\$299,019	\$310,569	\$322,594	\$335,116	\$348,155	\$361,735
Total Revenues	\$159,590	\$203,899	\$257,190	\$267,028	\$277,267	\$287,924	\$299,019	\$310,569	\$322,594	\$335,116	\$348,155	\$361,735
Gain/(Loss)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Quarterly Expenses	\$39,897.50	\$50,974.75	\$64,297.50	\$66,756.95	\$69,316.71	\$71,981.11	\$74,754.70	\$77,642.19	\$80,648.56	\$83,778.97	\$87,038.84	\$90,433.83
Penalties	\$15,257.00	\$2,375.75	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00
2.00% Interest Earnings	\$10,383	\$7,802	\$4,461	\$3,454	\$1,743	\$2,050	\$2,219	\$2,203	\$2,277	\$2,375	\$2,727	\$3,160
Quarterly Expenses for Rates	\$14,258	\$40,797	\$58,086	\$61,553	\$65,824	\$68,181	\$70,786	\$73,689	\$76,622	\$79,654	\$82,562	\$85,524
Rate to Fund Operations												
Current Rate	\$3.24	\$9.28	\$14.28	\$14.89	\$15.57	\$16.16	\$16.78	\$17.44	\$18.12	\$18.83	\$19.55	\$20.30
% of Revenue Residential	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
# of Residential Customers	4,395	4,395	4,395	4,395	4,395	4,395	4,395	4,395	4,395	4,395	4,395	4,395
Revenue per Quarter	\$14,239.80	\$40,785.60	\$62,744.65	\$65,455.94	\$68,443.52	\$71,031.05	\$73,762.41	\$76,653.89	\$79,641.87	\$82,747.70	\$85,919.67	\$89,206.42

STORMWATER FUND  
Improvements

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Increase	Actual	Actual	Budget	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected
Volume Based	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
0.00% Personnel Services	2,794	214	1,000	1,030	1,061	1,093	1,126	1,159	1,184	1,230	1,267	1,305
103.00% Supplies *	5,712	8,550	15,000	15,914	16,391	16,883	17,389	17,889	17,911	18,448	19,002	19,572
0.00% Other Services & Charges **	34,604	222,596	460,000	605,000	215,000	305,000	305,000	330,000	340,000	305,000	305,000	305,000
0.00% Improvements	20,407	19,080	22,500	23,625	24,806	26,047	27,349	28,716	30,152	31,660	33,243	34,805
0.00% Depreciation	29,004	27,389	27,078	27,833	27,391	28,016	28,571	0	0	0	0	0
0.00% Debt Services	0	0	0	0	0	0	0	0	0	0	0	0
0.00% Estimated New Debt Service	0	0	0	0	0	0	0	0	0	0	0	0
0.00% Transfers	0	0	0	0	0	0	0	0	0	0	0	0
Total Fixed Expenses	\$92,521	\$777,829	\$525,578	\$672,938	\$284,172	\$326,546	\$378,928	\$377,265	\$389,257	\$356,338	\$358,511	\$360,781
Total Revenues	\$157,693	\$368,279	\$780,558	\$296,142	\$330,059	\$323,584	\$337,813	\$352,801	\$368,443	\$384,805	\$401,809	\$419,576
Gain/(Loss)	\$65,171	\$90,449	(\$245,020)	(\$376,796)	\$25,887	(\$2,963)	(\$41,115)	(\$24,464)	(\$20,814)	\$28,467	\$43,298	\$58,795
Quarterly Expenses	\$23,130.34	\$69,457.29	\$131,394.50	\$168,234.50	\$71,042.91	\$81,636.55	\$94,732.01	\$94,316.18	\$97,314.25	\$89,084.44	\$89,627.77	\$90,195.31

Rate to Fund Improvements

Current Rate	\$8.97	\$10.72	\$5.72	\$6.11	\$6.42	\$6.74	\$7.07	\$7.43	\$7.80	\$8.19	\$8.60	\$9.03
% of Revenue Residential	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
# of Residential Customers	4,395	4,395	4,395	4,395	4,395	4,395	4,395	4,395	4,395	4,395	4,395	4,395
Commercial Customers	43,500	43,500	43,500	45,682	47,819	49,790	51,867	54,060	56,338	58,715	61,167	63,719
Revenue per Quarter	\$39,423.15	\$90,614.40	\$68,639.40	\$72,535.57	\$76,014.70	\$79,395.90	\$82,953.32	\$86,700.29	\$90,610.84	\$94,701.31	\$98,932.20	\$103,393.97

\* Supplies include chemicals, other operating supplies, equipment repair parts, and building repair supplies.

\*\* Other Services & Charges include electricity and repair maintenance.

Residential Bills	2015	2016	2017	2018	Proposed	
Residential Water Use	61,053,841	58,156,961	58,573,470	81,283,663	77,481,114	
# Customers	4,544	4,587	4,620	4,642	4,692	
Average Residential Water Use	13,436	12,679	12,678	17,510	16,513	
Quarterly Bill Based on Proposed Rates						
<b>If used average water use:</b>						%
Water Base Charge	\$16.50	\$17.75	\$19.20	\$20.50	\$21.25	Change
Water Usage Charge	\$22.19	\$24.72	\$25.48	\$39.40	\$38.81	
Sewer Base Charge	\$46.39	\$46.00	\$48.38	\$50.80	\$51.00	
Sewer Usage Charge	\$7.83	\$8.29	\$15.36	\$23.03	\$32.31	
Storm Water Charge	\$12.48	\$17.00	\$20.00	\$20.00	\$21.00	
Total Bill	\$105.39	\$113.76	\$128.42	\$153.73	\$164.36	6.92%
<b>3,668 Accounts with 0 - 20,000 gallons used</b>						
<b>Average consumption 10,081 gallons</b>						
Water Base Charge	\$16.50	\$17.75	\$19.20	\$20.50	\$21.25	
Water Usage Charge (Average Consumption)	\$18.01	\$20.07	\$20.69	\$23.16	\$23.69	
Sewer Base Charge	\$46.39	\$46.00	\$48.38	\$50.80	\$51.00	
Sewer Usage Charge (Average winter consumption)	\$5.20	\$5.51	\$10.20	\$15.30	\$18.41	
Storm Water Charge	\$12.48	\$17.00	\$20.00	\$20.00	\$21.00	
Total Bill	\$98.58	\$106.33	\$118.46	\$129.75	\$135.35	4.32%
<b>605 Accounts with 20,001 - 32,000 gallons used</b>						
<b>Average consumption 24,676 gallons</b>						
Water Base Charge	\$16.50	\$17.75	\$19.20	\$20.50	\$21.25	
Water Usage Charge (Average Consumption)	\$43.15	\$48.87	\$50.35	\$56.25	\$59.16	
Sewer Base Charge	\$46.39	\$46.00	\$48.38	\$50.80	\$51.00	
Sewer Usage Charge (Average winter consumption)	\$19.43	\$20.57	\$38.10	\$57.15	\$75.54	
Storm Water Charge	\$12.48	\$17.00	\$20.00	\$20.00	\$21.00	
Total Bill	\$137.95	\$150.19	\$176.03	\$204.70	\$227.94	11.36%
<b>189 Accounts with over 32,001 - 44,000 gallons used</b>						
<b>Average consumption 37,012 gallons</b>						
Water Base Charge	\$16.50	\$17.75	\$19.20	\$20.50	\$21.25	
Water Usage Charge (Average Consumption)	\$67.65	\$78.04	\$80.94	\$90.37	\$95.14	
Sewer Base Charge	\$46.39	\$46.00	\$48.38	\$50.80	\$51.00	
Sewer Usage Charge (Average winter consumption)	\$32.40	\$34.31	\$63.54	\$95.30	\$126.35	
Storm Water Charge	\$12.48	\$17.00	\$20.00	\$20.00	\$21.00	
Total Bill	\$175.42	\$193.10	\$232.06	\$276.98	\$314.74	13.63%
<b>232 Accounts with over 44,001 gallons used</b>						
<b>Average consumption 80,381 gallons</b>						
Water Base Charge	\$16.50	\$17.75	\$19.20	\$20.50	\$21.25	
Water Usage Charge (Average Consumption)	\$185.95	\$230.38	\$244.35	\$272.17	\$327.95	
Sewer Base Charge	\$46.39	\$46.00	\$48.38	\$50.80	\$51.00	
Sewer Usage Charge (Average winter consumption)	\$71.81	\$76.04	\$140.81	\$211.22	\$242.26	
Storm Water Charge	\$12.48	\$17.00	\$20.00	\$20.00	\$21.00	
Total Bill	\$333.13	\$387.17	\$472.74	\$574.69	\$663.46	15.45%



**Town Board Meeting  
September 17, 2018**

**Agenda Number: 8I – General Business**

**Planning Commission Recommendation:**

**Subject: Comprehensive Plan PUD Densities – Approve PUD Densities**

**Documentation: None**

**Action / Motion for Consideration:**

Report at Meeting / Discussion

Based on Planning Commission Review & Recommendation Approve the PUD Densities Which Meet the Metropolitan Council Standards

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**Minutes  
Planning Commission Meeting  
August 23, 2018**

**COMPREHENSIVE PLAN – PUD DENSITIES:** The planning team had Township staff have been working with the Metropolitan Council to finalize projections for households and population for 2020, 2030, and 2040. The most challenging requirement so far has been the designation change of the Community to a “Suburban” designation. With the new “Suburban” designation, new development and re-development needs and average of five unit/acre. For the 2030 plan, the Township had a standard of average of three units/acre, under the designation of “Developed Area”. After discussion with the Metropolitan Council, the only areas that need to meet five unites/acre are those parcels that have a new or changed land use designation, or those that are anticipated to not develop until after the timeline of the 2030 Comprehensive Plan, as that plan was already approved by the Metropolitan Council.

The breakdown of the densities and acreages of the Residential – PUD designation from the 2030 plan and what is being proposed in the 2040 plan was reviewed. The planning team’s proposed approach would meet new Metropolitan Council standards for overall community density and would meet allocation of need for affordable housing, which is based on density.

The Planning Commission previously reviewed the Met Council proposal at their July meeting and it was the recommended not to go with the proposal. The Town Board send the matter back to the Planning Commission to have another look at it.

There was discussion regarding high density housing.

**Kotilinek moved to recommend to the Town Board that the Planning Commission agrees with the consultant's recommendation regarding PUD densities, noting that high density would be good for senior housing and that the Planner will discuss high density senior housing with the Town Attorney. Artner seconded. Ayes: Kotilinek, Artner, Loes, Flann. Nays: Swisher, Patrick, Denn.**



**Town Board Meeting  
September 17, 2018**

**Agenda Number: 8J – General Business**

**Public Safety Commission Recommendation:**

**Subject: Annual Commission Tour – Possibly Joint w/ Town Board**

**Documentation: None**

**Action / Motion for Consideration:**

Town Clerk Report at Meeting / Discussion

If the Town Board will be joining the Public Safety Commission a Special Town Board Meeting Must be Called for Thursday, October 4, 2018, Beginning @ 5:30 p.m. @ the Township Administrative Offices



**Town Board Meeting  
September 17, 2018**

**Agenda Number:** 9 – 10- 11 - 12

**Subject:** Added Agenda Items  
Open Time

Receipt of Agenda Materials & Supplements  
Adjournment

**Action / Motion for Consideration:**

Added Agenda Items  
Open Time

Receive All Agenda Materials & Supplements for Tonight's Meeting  
Adjourn Meeting