



1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

**AGENDA
TOWN BOARD MEETING
APRIL 1, 2019**

1. **7:00 p.m.** Call to Order at Heritage Hall, 4200 Otter Lake Road.
2. Approval of Agenda (Additions/Deletions).
3. Approval of Payment of Bills.
4. Approval of Minutes of March 18, 2019 (Additions/Deletions).
5. **Consent Agenda:**
 - A. **Benson Airport Annual Report** – Receive.
 - B. **Bald Eagle Ski Team Slalom Course** – Based on Staff Review & Recommendation Authorize Notification to the Ramsey County Sheriff's Office Water Patrol Unit of the Township's Approval of the 2018 Bald Eagle Ski Team's Slalom Course on Bald Eagle Lake.
 - C. **Variance Request @ 5770 West Bald Eagle Boulevard** – Call Public Hearing for Monday, April 15, 2019 @ 7:00 p.m. to Consider a Request for an 18.52' Lakeshore Variance to Allow Construction of a 2nd Story Addition with a Balcony.
 - D. **Cub Foods Fireworks License** – Based on Staff Review & Recommendation, Approve the Fireworks License for Cub Foods from May 1, 2019 through April 30, 2020 Subject to Approval by the Town's Fire Inspector.
 - E. **Township Day Independent Contractor Agreement** – Based on Town Attorney Review & Recommendation Approve Revised Independent Contractor Agreement Township Day with Lisa Beecroft now d/b/a Beecroft Marketing & Events LLC.
 - F. **WBL School District #624 – The BearPower Family Breakaway Bike Ride** – Based on Staff Review & Recommendation Approve WBL School District #624's Use of Township Roads on Saturday, May 18, 2019, from 9:30-11:00 a.m., to Hold The BearPower Family Breakaway Bike Ride &

**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.



Direct that the Event Coordinator Work With Township Staff Regarding Sign Placement.

- G. **Polar Lakes Park** – Based on Public Works Director Review & Recommendation Approve White Bear Lake School District 624's Ballfield Preparation/Maintenance Proposal for 2019.

6. **Old Business:** None.

7. **Public Hearings:**

- A. **Vacation of Excess Right-of-Way @ 5331 West Bald Eagle Boulevard** –Consider Vacating the Excess Right-of-Way.
- B. **Conditional Use Permit Request @ 2401 Buffalo Street** – Consider Granting a Conditional Use Permit to Allow an Entryway Expansion at Eagle Brook Church.
- C. **Conditional Use Permit & Variance Request @ 5508 West Bald Eagle Boulevard** – Consider Granting a Right-of-Way & Lakeshore Variance & a Conditional Use Permit to Allow a Guest Cottage.

8. **New Business:**

Town Planner Item:

- A. **Brandlwood Park Upgrades:**
 - 1. Approve Specifications.
 - 2. Authorize Advertisement for Bids.

Town Engineer Item:

- B. **Hammond Road Water Tower Painting:**
 - 1. Receive Bids.
 - 2. Award Contract.

9. **Added Agenda Items.**

10. **Open Time.**

11. **Receipt of Agenda Materials & Supplements.**

12. **Adjournment.**

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**Town Board Meeting
April 1, 2019**

Agenda Number: 1 - 2 - 3 - 4

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

Approval of April 1, 2019 Agenda
Approval of Payment of Bills

Approval of Minutes of March 18, 2019
(Additions/Deletions)

Documentation: April 1, 2019 Agenda
March 18, 2019 Town Board Minutes

Action / Motion for Consideration:

Call meeting to order:	7:00 p.m.
Approval of Agenda:	April 1, 2019 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	March 18, 2019 Town Board Minutes

**MINUTES
TOWN BOARD MEETING
MARCH 18, 2019**

The meeting was called to order at 7:01 p.m.

Present: Supervisors: Prudhon, Ruzek, McCune; Clerk: Christopherson; Attorney: Kelly;
Planner: Riedesel

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved to approve the agenda as submitted, with the addition of Tree Trust agenda item 9A under Added Agenda Items. McCune seconded. Ayes all.

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

APPROVAL OF MINUTES OF MARCH 4, 2018 (Additions/Deletions): Ruzek moved approval of the Minutes of March 4, 2019. McCune seconded. Ayes all.

CONSENT AGENDA: McCune moved to authorize the Consent Agenda as follows: 5A) Universal Forest Products – Approve Second Amendment to the Hoffman Road Parking Lot Lease Agreement. 5B) Southwind Holdings LLC, 5960 Highway 61 SAC Determination Request – Receive Request & Refer to March 29, 2019 Executive Meeting for Discussion. 5C) Receive the Construction Activity Report. Ruzek seconded. Ayes all.

OLD BUSINESS – ADMINISTRATIVE OFFICE UPGRADES: TKDA has given a proposal on the Township Administrative Office Upgrades, this is the second. This proposal, if accepted, will tie into the Township Hall Capital Improvement Project. Some upgrades that are needed are replacing carpet, painting the interior, and placing tile. Replacing the roof is scheduled for 2020.

TKDA will manage the design concepts, meet with the Town Board, hold kick off meetings, prepare two preliminary design options, etc. for \$20,500. This is less than 20 percent of the Capital Improvement budget for 2019. This proposal was “improved considerably” from the first one, according to Christopherson, though he thinks TKDA could cut down on some of the hours in the second phase of this proposal, laid out in the Task Fee Estimate in the packet. Ruzek’s concern is that this price with TKDA isn’t a competitive price because there is only one company in the running. Christopherson said if the Board wants him to shop around, he will.

Christopherson reached out to Ramsey County Sheriff Department for suggestions on comparable vendors. From the two architectural firms that Christopherson inquired, both withdrew any interest, but one came back around. The Clerk proposed three options to the Town Board: 1) Take TKDA’s proposal; 2) Hold off on TKDA and see what this other Architectural firm quotes the Town; 3) Start all over. The Board advised the Clerk to seek out if this Firm is comparable to TKDA’s proposal. Christopherson stated that he would do so and would report back at the Town Board Executive Meeting on March 29, 2019.

PUBLIC HEARING – 2040 COMPREHENSIVE PLAN: Ruzek Motioned to Note Proper Publication of the Hearing Notice in Newspaper & Waive Reading of Notice, noting Swisher’s

**MINUTES
TOWN BOARD MEETING
MARCH 18, 2019**

Correspondence. McCune seconded. Ayes all. McCune moved to open the public hearing. Ruzek seconded. Ayes all.

Laura Chamberlain of HKGI: Laura Chamberlain gave an overview of what the 2040 Comprehensive Plan is and how it impacts the community.

The Comprehensive plan is a long-range document that shapes policy for how future decisions and investments are made for the community with a future mindset, forecast of 2040. The plan holds high level planning for land use, housing, parks, trails, open space, transportation, and infrastructure. Chamberlain explained that there are 5 phases of the planning process: 1) Understand Current Conditions; 2) Community Context & Engagement; 3) Update the Comprehensive Plan Chapters; 4) Prepare the Complete Comprehensive Plan Document; 5) Seek Approval. The Comprehensive plan is in phase 5.

In the fall of 2017, the Plan had an online social tool with 70+ comments. The Plan was displayed at the Annual Town Meeting 2018, in the Town Administrative Offices throughout the year, and was on display and presented at the Annual Town Meeting 2019, as well. March 18, 2019 is the final Town Board Public Hearing for the 2040 Comprehensive Plan. The chapters are laid out as follows: Introduction, Community Context, Land Use Plan, Transportation Plan, Water Resources & Community Services, Parks & Open Space Plan, Trail Plan, Housing Plan, and Implementation.

While working with the Metropolitan Council, it has been forecasted that the population will increase slightly, bringing a small, yet steady, increase in households until 2040, but will cap off and then decrease slowly over time. Since the Annual Meeting, the Met Council advised Chamberlain to lower the employment numbers from 3,000 to 2,600 in 2020; from 3,500 to 2,500 in 2030; and from 3,800 to 3,200 in 2040. The Met Council recommended Chamberlain to lower those numbers based on the data from 2018.

Chamberlain explained that the Township is a unique community as there are very few vacant or underdeveloped properties. The Plan is using Land Use to find prime areas of redevelopment along key corridors or intersections within neighboring cities. The Park Board prioritized future trail connections within the Township. As a part of the Plan's five phases, the plan was communicated with adjacent and affected jurisdictions for review and comments. This was a part of the six-month review, which ended February 2019. Comments were received from seven surrounding communities, two of which waived comments. Most of the comments were in recognition of where White Bear Township's plan aligned with other area plans. Most changes were technical and have been adapted or considered. At the February 28, 2019 Planning Commission meeting, the Commission voted to recommend that the Town Board authorize the submittal of the Draft 2040 Comprehensive Plan Update to the Metropolitan Council, further recommended the Town Board follow Vadnais Heights' comment of removing White Bear Parkway/Labore Road Connection from future functional Class Road map. Chamberlain later explained that it has been recommended to be removed because of the A-minor status, the wetlands that would have to be disturbed, some private property is no longer considering selling, among other reasons. The next steps are the Public Hearing at the Town Board Meeting at March 18, 2019; the Draft of the Plan has to be

MINUTES
TOWN BOARD MEETING
MARCH 18, 2019

submitted to the Metropolitan Council for review by March 20, 2019; the Township will then adopt the 2040 Comprehensive Plan in the fall of 2019. The full Plan is located on the Township Website or: <https://hkqi.sharefile.com/d-s842f972dc464314b>.

McCune moved to open the public comment portion. Ruzek seconded. Ayes all. There were no public comments. McCune moved to close the public portion of the hearing. Ruzek seconded. Ayes all.

Ruzek made a Resolution Authorizing the Submittal of the 204 Comprehensive Plan Draft to the Metropolitan Council as Required by Minnesota State Law (Metropolitan Land Planning Act). McCune seconded. Ayes all.

NEW BUSINESS – DNR OUTDOOR RECREATION GRANT PROGRAM: Staff has been working with the Park Board, recommending to submit an application to the DNR as a part of their Outdoor Recreation Grant Program that provides competitive funding that will help us in this case to continue to develop Polar Lakes Park. The Township will request a total of \$250,000, which is the max grant amount, to help improve Polar Lakes Park.

The grant will cover the construction of restrooms and creation of a perimeter trail around the park. These improvements are estimated to cost \$550,000. The grant is due the end of March. Staff will find out the results of the grant application in June of 2019, and if approved will have to have the projects completed by June of 2021.

Ruzek made a Resolution Approving Submission of an Application for the DNR Outdoor Recreation Grant Program. McCune seconded. Ayes all.

NEW BUSINESS – SAPUTO SHELTER: Saputo Corporation has suggested we work with them in constructing a shelter in one of the Township's parks. There was discussion of the shelter going up in Rutherford Park, but has since moved to Bellaire Beach. The shelter will either serve as a replacement to the aging shelter, or as a secondary shelter. The next step is to apply for funding through Saputo for about \$25,000 to \$30,000. Town funding will help with the rest of the updates, but this Saputo grant will cover the shelter. A question was raised in regards to timing, both in receiving the grant and construction of the shelter. The Town Planner explained that Staff are going through the planning process right now. The goal is to start construction in either fall of 2019 or spring of 2020.

ADDED AGENDA ITEM – TREE TRUST: The Township has been contacted by Water Gremlin as a part of their agreed settlement with the MPCA that they have 2 environmental projects that they have agreed to work on for the total of about \$1.5 million.

One of the projects is tree planting and maintenance in White Bear Lake, White Bear Township, Gem Lake, and surrounding areas. There will be more discussion once Ruzek and the Planner meet and once Park Board discusses Tree Trust.

OPEN TIME: No one appeared for the open portion of the meeting.

MINUTES
TOWN BOARD MEETING
MARCH 18, 2019

RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS: Ruzek motioned to receive all Agenda Materials & Supplements for tonight's meeting. McCune seconded. Ayes all.

Ruzek moved to adjourn the meeting at 7:52 p.m. McCune seconded. Ayes all.

Respectfully Submitted,

Patrick Christopherson
Town Clerk-Treasurer

Approved as Official Meeting Minutes

Town Board Supervisor

Date

DRAFT



**Town Board Meeting
April 1, 2019**

Agenda Number: 5A – Consent Agenda

Subject: Benson Airport Annual Report - Receive

Documentation: Report

Action / Motion for Consideration:

Receive Information / Discuss

**Minutes
Town Board Meeting
April 2, 2018**

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) Receive Benson Airport Annual Report; Prudhon seconded. Ayes all.

March 27, 2019

White Bear Township:

Annual Report.

The Airport continues to be in a good operational and financial condition.

There continues to be about 20 aircraft based on the airport but does vary with the seasons. There are also many people who do not own aircraft who come here just to enjoy the airport and the airplanes.

Winter flying activity was down again because of the harsh winter conditions. Things should pick up with the better weather conditions. As usual we will have several summer aviation events for everyone to enjoy.

The Mosquito control should be back again this year as we have proven to be a good base for some of their operations.

Thank you again for your commitment to the airport. We will continue to work with you to make the airport an important and safe asset for the Township; it's citizens and Aviation in Minnesota.

For the Board of Directors

Darryl LeMire, President



**Town Board Meeting
April 1, 2019**

Agenda Number: 5B – Consent Agenda

Subject: Bald Eagle Ski Team Slalom Course – Based on Staff Review & Recommendation Authorize Notification to the Ramsey County Sheriff's Office Water Patrol Unit of the Township's Approval of the 2018 Bald Eagle Ski Team's Slalom Course on Bald Eagle Lake

Documentation: Staff Memo w/ attachments

Action / Motion for Consideration:

Receive Information / Discuss

Based on Staff Review & Recommendation Authorize Notification to the Ramsey County Sheriff's Office Water Patrol Unit of the Township's Approval of the 2018 Bald Eagle Ski Team's Slalom Course on Bald Eagle Lake

Minutes
Town Board Meeting
April 16, 2018

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5B) Based on Staff Review & Recommendation Authorize Notification to the Ramsey County Sheriff's Office Water Patrol Unit of the Township's Approval of the 2018 Bald Eagle Ski Team's Slalom Course on Bald Eagle Lake. Prudhon seconded. Ayes all.

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: MARCH 25, 2019

SUBJECT: BALD EAGLE SKI TEAM SLALOM COURSE REQUEST

Paul Chapin has submitted his annual request for approval of placement of the slalom ski course on Bald Eagle Lake. The request is the same as in previous years.

As the event is held on the lake, it is under the Ramsey County Sheriff's Office jurisdiction and the Township does not have authority to approve or deny the request, however, the Sheriff's Office would like the Town Board to be aware of the event in the Township with respect to traffic and parking. Therefore, in accordance with the Township's Special Events Policy, the applicant has supplied a Certificate of Insurance listing the Township as an additional insured.

PSW/s
cc:admin/add.file



RAMSEY COUNTY SHERIFF'S OFFICE - WATER PATROL
 1411 Paul Kirkwold Drive, Arden Hills, MN 55112 (651) 266-7350

Permit #

TEMPORARY STRUCTURE PERMIT

The following information is necessary to ensure proper and accurate issuance of your permit. Please fill it out completely including the diagram on the next page - and return it to our office, with supporting documentation, as soon as possible. **Please print or type.**

NAME: Bald Eagle Ski Team / Paul Chapin DATE OF BIRTH: 01/15/1953
5226 Summit Street, White Bear, MN 55110
 Address City State ZIP

PHONE (w/area code): _____ 651 503 5830
 Home Work Cell Pager

LAKESHORE OWNER (if not applicant): _____
 Address City State ZIP

PHONE (w/area code): _____
 Home Work Cell Pager

Applicant agrees to defend, hold harmless and pay on behalf of the County of Ramsey, its Municipalities, the White Bear Lake Conservation District and elected officials, agencies and employees of each, any demands or suits arising out of actions of the applicant under this permit.

SKI JUMPS ONLY: Applicant will obtain and pay for a comprehensive General Liability insurance policy in the amount of \$1,000,000. The policy shall name the County of Ramsey, its Municipalities, the White Bear Lake Conservation District and the elected officials, agencies and employees of each as additional insured's for the term of the permit. Certificate of insurance shall be attached to this completed application and be non-cancelable.

6110.1800 PLACEMENT OF TEMPORARY STRUCTURES AND BUOYS IN THE WATERS OF MINNESOTA.

- a) In general, no person shall leave any temporary structure, buoy or sign not extending from shore in the waters of this state between the hours of sunset and sunrise without first obtaining a permit in writing from the Sheriff of the County. Mooring buoys must be placed as provided in part 6110.1500 subpart 4. Swimming area markers must be placed as provided in part 6110.1600.
- b) Permit for temporary structure or buoy. The Sheriff of any county may issue a permit for the placement of any such structure or Buoy if the placement of these will not constitute an undue hazard or illegal obstruction of navigation.

Each structure or navigational buoy placed pursuant to such permit shall have the permit number painted on it and shall have attached either a light visible in all directions or sufficient reflective material so as to reflect light from all directions. The reflective material shall retain 80 percent of its dry weather reflective signal strength when submerged in water. Nothing in this part shall be construed to affect the provisions of Minnesota statute 103g.245 or the requirements for permits from the Commissioner of Natural Resources, nor shall this part be construed to affect the construction of blinds built according to Minnesota statutes, sections 97b.805 and 97b.811.

SELECT ONE. A separate application must be filled out for each type of temporary structure you are requesting.

Floating Raft	Mooring Buoy*	Ski Jump	Slalom Course	Swim Buoys
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Boat Registration No.: _____ Make: _____ Length: _____ Color: _____

LOCATION OF PROPOSED STRUCTURE (Lake and area): WEST SHORE, SOUTH OF HWY, BALD EAGLE LAKE

PERMANENT PERMIT NUMBER DISPLAYED ON STRUCTURE (IF ANY): _____

I hereby acknowledge that my *temporary structure* meets the proper regulations. I understand that this permit does not relieve me in any way from any responsibility or liability I may incur in connection with any activities undertaken pursuant to this permit.

Applicant's signature: Paul Chapin
 Deputy Issuing Permit: _____ Badge: _____ Date: _____

Please return signed / completed form to the Sheriff's Patrol Station
!!REMEMBER TO DRAW DIAGRAM ON THE BACK OF THIS FORM!!

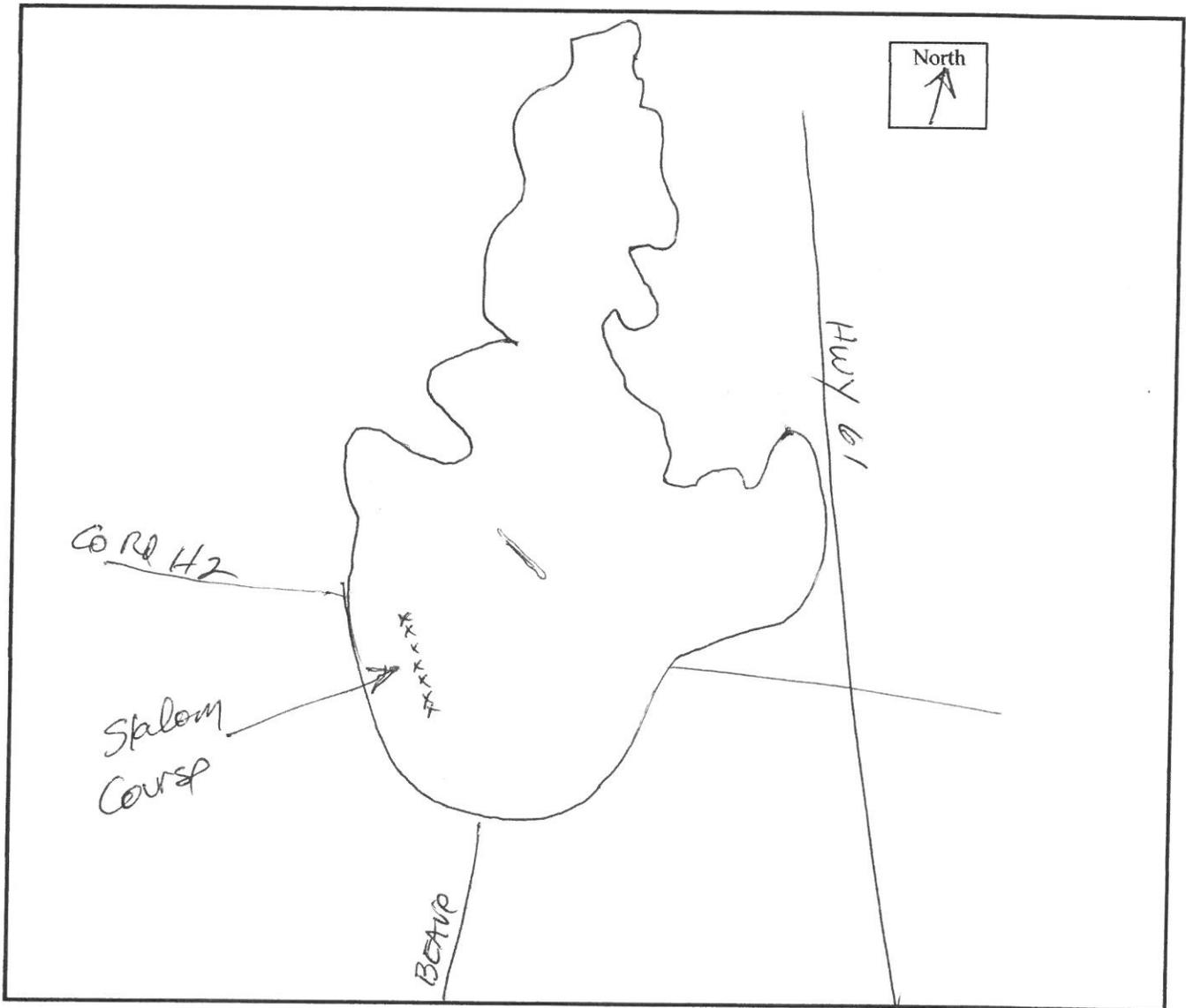
--For Office Use Only--

Date _____ Badge _____ Letter of permission from City / WBLCD	Date _____ Badge _____ Letter of permission from adjacent property owners
Date _____ Badge _____ Letter of permission from landowner	Date _____ Badge _____ Letter of permission from Park/Rec

TEMPORARY STRUCTURE LOCATION DIAGRAM

Instructions:

Prepare a detailed drawing of the area where you propose to place your temporary structure. Your drawing should encompass the shoreline and lake area in front of your lot and the two adjacent lots. Be sure to include lot lines, docks, and any existing temporary structures in front of all three lots. Note any landmarks that will assist our deputies in locating your site from a boat. You must also indicate the length of the shoreline between your lot lines (lake frontage) and the distance from shore to the proposed location for your structure. Indicate North with an arrow through the box in the drawing.



CERTIFICATE OF INSURANCE

PRINT DATE: 3/19/2019

CERTIFICATE NUMBER: 20190319692331

AGENCY:

Integro USA Inc.
d/b/a Integro Insurance Brokers
2727 Paces Ferry Road, Building Two, Suite 1500
Atlanta, GA 30339
678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

NAMED INSURED:

USA Water Ski & Wake Sports, Inc. Bald Eagle Ski Team
1251 Holy Cow Road 5226 Summit Street
Polk City FL 33868 White Bear Lake MN 55110-

INSURERS AFFORDING COVERAGE:

INSURER A: Philadelphia Indemnity Ins. Co. NAIC #: 18058
INSURER B: Philadelphia Indemnity Ins. Co. NAIC #: 18058

EVENT INFORMATION:

Year Round Club Activity (3/19/2019 - 12/31/2019)

POLICY/COVERAGE INFORMATION:

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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	PHPK1923647	1/1/2019 12:01 AM	1/1/2020 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$2,000,000
	<input checked="" type="checkbox"/> Participant Legal Liability				EACH OCCURRENCE \$1,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$1,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$1,000,000
					PRODUCTS-COMP/OP AGG \$2,000,000
B	UMBRELLA/EXCESS LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	PHUB659830	1/1/2019 12:01 AM	1/1/2020 12:01 AM	EACH OCCURRENCE \$1,000,000
	<input checked="" type="checkbox"/> SIR				AGGREGATE (Applies Per Event) \$1,000,000
					RETENTION/DEDUCTIBLE \$10,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:

The certificate holder is an Additional Insured with respect to liability arising out of the negligence of the Named Insured as per the following endorsement: Additional Insured - Certificate Holders (Form PI-AM-002).

Coverage only applies with respect to tournaments, practices, exhibitions, clinics and related activities sanctioned and approved by USA Water Ski, Inc.

CERTIFICATE HOLDER:

Town of White Bear, it's officers, employees, and assigns, in accordance with the attached policy.
1281 Hammond Road
White Bear MN 55110

NOTICE OF CANCELLATION:

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:



CERTIFICATE OF INSURANCE

PRINT DATE: 3/19/2019

CERTIFICATE NUMBER: 20190319692330

AGENCY:

Integro USA Inc.
d/b/a Integro Insurance Brokers
2727 Paces Ferry Road, Building Two, Suite 1500
Atlanta, GA 30339
678-324-3300 (Phone), 678-324-3303 (Fax)

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NAMED INSURED:

USA Water Ski & Wake Sports, Inc. 1251 Holy Cow Road Polk City FL 33868	Bald Eagle Ski Team 5226 Summit Street White Bear Lake MN 55110-
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INSURERS AFFORDING COVERAGE:

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A	GENERAL LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	PHPK1923647	1/1/2019 12:01 AM	1/1/2020 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$2,000,000
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					DAMAGE TO RENTED PREMISES (Each Occ.) \$1,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$1,000,000
					PRODUCTS-COMP/OP AGG \$2,000,000
B	UMBRELLA/EXCESS LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	PHUB659830	1/1/2019 12:01 AM	1/1/2020 12:01 AM	EACH OCCURRENCE \$1,000,000
	<input checked="" type="checkbox"/> SIR				AGGREGATE (Applies Per Event) \$1,000,000
					RETENTION/DEDUCTIBLE \$10,000

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The certificate holder is an Additional Insured with respect to liability arising out of the negligence of the Named Insured as per the following endorsement: Additional Insured - Certificate Holders (Form PI-AM-002).

Coverage only applies with respect to tournaments, practices, exhibitions, clinics and related activities sanctioned and approved by USA Water Ski, Inc.

CERTIFICATE HOLDER:

COUNTY OF RAMSEY, TOWNSHIP OF WHITE BEAR, WHITE BEAR
CONSERVATION DEPT, IT'S OFFICIALS, EMPLOYEES, AND VOLUNTEERS
151 W Kellogg Blvd
St Paul MN 55110

NOTICE OF CANCELLATION:

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:



Approval for the Slalom Course on Bald Eagle Lake

The Bald Eagle Ski Team requests your approval to again locate their Slalom Course about 300' from shore between Cty. Rd. H2 and Summit St.. The Town Board and Sheriff's Department need your approval to issue the permit to install the course.

We welcome your comments.

Sincerely, Paul Chapin, President



Signed

Address

West Bald Eagle Blvd.

Sarah Selby

5357 W. Bald Eagle

CJ Adlberg

5361 W Bald Eagle

Jessica Muewlt

5247 W Bald Eagle

Leo Robinson

5345 W. BALD EAGLE BLVD.

R E Jank

52887 W Bald Eagle Blvd

TE Popping

5291 W. Bald Eagle Blvd

Allyson Smith

5325 W. BALD EAGLE BLVD.

Alan Starbuck

5331 ~~W~~

Approval for the Slalom Course on Bald Eagle Lake

The Bald Eagle Ski Team requests your approval to again locate their Slalom Course about 300' from shore between Cty. Rd. H2 and Summit St.. The Town Board and Sheriff's Department need your approval to issue the permit to install the course.

We welcome your comments.

Sincerely, Paul Chapin, President



Signed

Address

West Bald Eagle Blvd.

Rosanna Platt

5335 W BALD EAGLE

Mary Vandenberg

5343 W Bald Eagle Blvd.

James J. Sunbaver

5371 W. Bald Eagle Blvd.

Don S. Huch

5385 W. BALD EAGLE BLVD.



**Town Board Meeting
April 1, 2019**

Agenda Number: 5C – Consent Agenda

**Subject: Variance Request @ 5770 West Bald Eagle Boulevard –
Call Public Hearing for Monday, April 15, 2019 @ 7:00 p.m. to
Consider a Request for an 18.52' Lakeshore Variance to Allow
Construction of a 2nd Story Addition with a Balcony**

Documentation: Public Notice

Action / Motion for Consideration:

Receive Information / Discuss

Call Public Hearing for Monday, April 15, 2019 @ 7:00 p.m. to Consider a Request for an 18.52' Lakeshore Variance to Allow Construction of a 2nd Story Addition with a Balcony @ 5770 West Bald Eagle Boulevard



**NOTICE OF HEARING REQUEST FOR A VARIANCE FROM ORDINANCE NO. 35
(ZONING) OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in said Town on Monday, April 15, 2019 @ 7:00 p.m., to consider the following variance request:

- 18.52' Lakeshore Variance

to allow construction of a 2nd story addition and balcony on the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Tract C, Registered Land Survey 230, Ramsey County, Minnesota.

(5770 West Bald Eagle Boulevard)

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

Given under my hand this 1st day of April, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer



**Town Board Meeting
April 1, 2019**

Agenda Number: 5D – Consent Agenda

Subject: **Cub Foods Fireworks License** – Based on Staff Review & Recommendation, Approve the Fireworks License for Cub Foods from May 1, 2019 through April 30, 2020 Subject to Approval by the Town’s Fire Inspector

Documentation: Staff Memo w/ attachments

Action / Motion for Consideration:

Receive Information / Discuss

Based on Staff Review & Recommendation, Approve the Fireworks License for Cub Foods from May 1, 2019 through April 30, 2020 Subject to Approval by the Town’s Fire Inspector

Minutes
Town Board Meeting
June 4, 2018

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) Based on Staff Review & Recommendation, Approve the Fireworks License for Cub Foods from May 1, 2018 through April 30, 2019 Subject to approval by the Town’s Fire Inspector. Prudhon seconded. Ayes all.

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: MARCH 26, 2019

SUBJECT: FIREWORKS LICENSE RENEWAL – CUB FOODS

Pursuant to Ordinance No. 77 (Fireworks), any business wishing to sell fireworks must first obtain a license to do so.

Cub Foods has applied for and paid for renewal of their license to sell fireworks inside their store.

In accordance with the Town's Ordinance, the Fire Inspector has been asked to inspect the property for compliance. The fireworks is being placed in the same location as in previous years.

Action Requested:

Town Board approval of the renewal of the Fireworks License from May 1, 2019 through April 30, 2020 for Cub Foods, 1059 Meadowlands Drive, White Bear Township, Minnesota, for inside sale of fireworks only, subject to approval by the Town's Fire Inspector.

PSW/s
cc:admin/add.file
b:cubfireworks19



RECEIVED

MAR 13 2019

TOWN OF WHITE BEAR

RETAIL SALES AND STORAGE OF FIREWORKS LICENSE APPLICATION FORM

Name: Cub Foods D/B/A: Cub Foods

Address: 1059 Meadowland Dr. Phone: 651-424-4534

Contact Person: Jeff Conrad Dates of Sale: 5/6/19 - 7/8/19

Location of Sale of Fireworks: INSIDE CUB FOODS

Type of Fireworks to be sold: MN Legal Fireworks only

Estimate as to quantity and weight of legal fireworks: see attached

Table with 4 columns: Site, License Fee, # of Licenses, Total Amount. Rows include Single Location, Multiple Locations under Common Ownership, First Site, and Each additional site.

- Each site shall include proof of a policy of public general liability, bodily injury and property damage insurance...
The applicant agrees that purchasers will be checked for age by use of a photo ID.
The applicant hereby states that the retail structure is in compliance with National Fire Protection Association Standard 1124.

I hereby certify that under penalties of law that all information is true and correct. I will comply with all the Ordinances of the Town of White Bear and the Statutes of the State of Minnesota.

X [Signature] Applicant's Signature

3/12/19 Date



RETAIL SALES AND STORAGE OF FIREWORKS

**PROOF OF PERMISSION TO OPERATE
ON PROPOSED SITE**

Property Location: 1059 Meadowland Dr.

Name of Property Owner: Cub Foods Phone: 651-426-6534

Contact Person: Jeff Conrad Phone: 651-426-6534

I, Steve, hereby represent that I am the owner or person responsible for the property located at 1059 Meadowland Dr., in the Town of White Bear. I hereby consent to the use of the above-described property by Cub Foods for the sale and/or storage of fireworks for the following dates: 5/6/19 - 7/8/19

I understand that by granting authorization of the use of this property for the sale and/or storage of fireworks, that I, or the owner of the property, assume liability for any accidents that may occur on this private property. I further understand that I will be responsible for any clean-up or removal of debris necessary as a result of the sale and/or storage of fireworks as may be required by Ordinance in the Town of White Bear.

x [Signature]
Signature of Property Owner

3/12/19
Date

TNT® FIREWORKS

Site Plan Worksheet

ADDRESS 1059 WENLOWLANDS DRIVE

CITY WB Township STATE MD ZIP 55127 PHONE 651 426 6534

STORE NAME / LOCATION # CUB FOODS

TYPE OF EVENT: In-store retail sales of state-approved fireworks

NORTH

AS ATTACHED

SOUTH

SPECIAL INSTURCTIONS _____

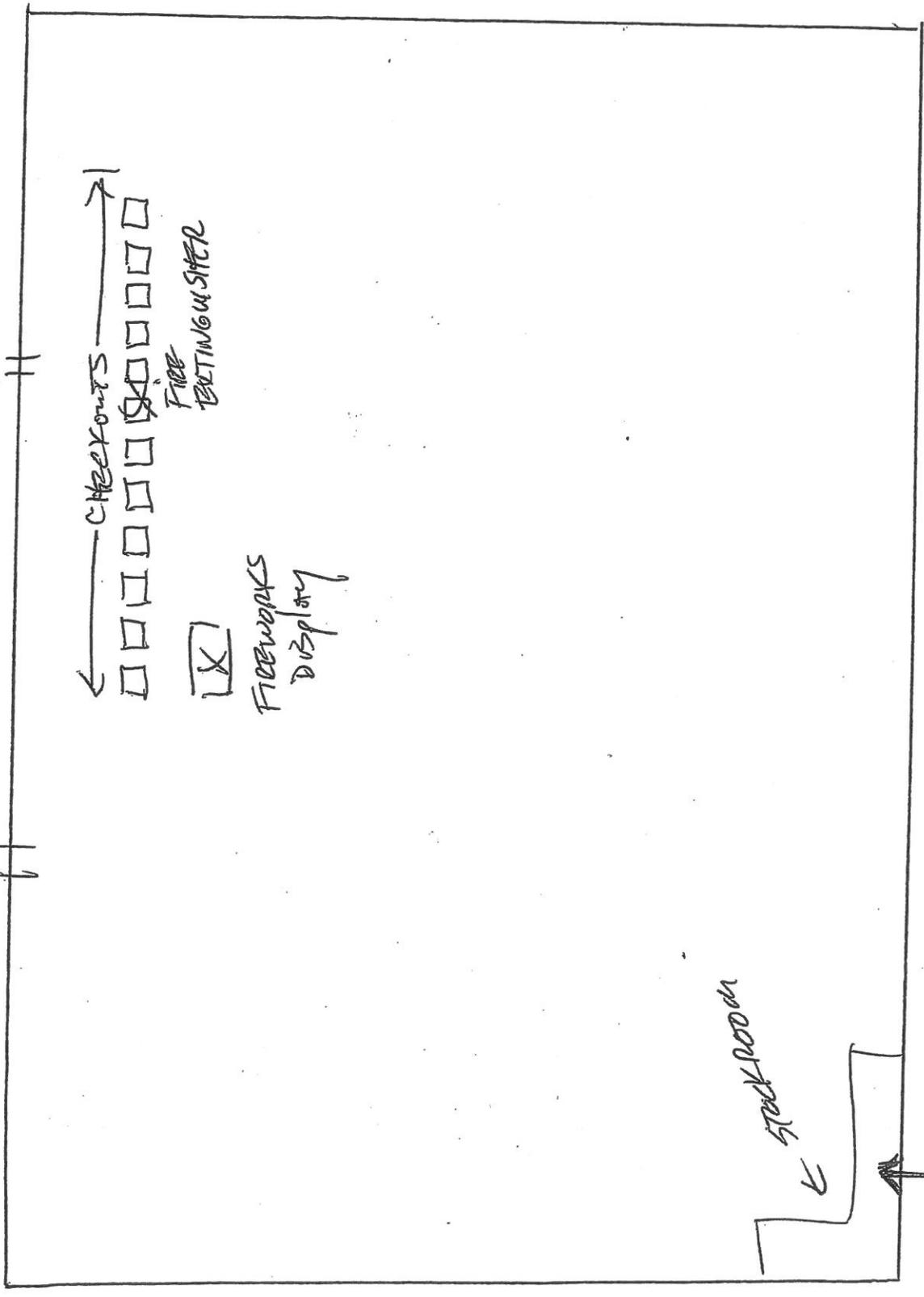
SIGNATURE Steve Szondy DATE 3/13/19
STORE MANAGER / TNT® Representative

2019

N ←

STOCK
ENTRANCE

STOCK
EXIT



FIREWORKS OVERSTOCK
LOCATION WHEN NEEDED

CUB FOODS
1059 MEADOWLANDS DR.
WHITEBLAIR TOWNSHIP



**RETAIL SALES AND STORAGE OF FIREWORKS
INSPECTION FORM**

Property Location: Cub Foods - 1059 Meadowland Dr.

Name of Property Owner: Cub Foods Phone: 651-424-6534

Contact Person: Jeff Conrad Phone: 651-424-6534

1. Please provide detailed list of all fireworks reports.
(Product information must be submitted with the application).
2. Use back of sheet to sketch layout of proposed set up, both sales and storage area. Please show exit and portable fire extinguisher location.

For Office Use Only:

- No storage or sale of fireworks within 10' of any exit door.
- A 3A-40BL portable fire extinguisher is in sales area.
- All exit doors are properly signed with exit signage.
- Posted: No Smoking.

Comments:

Inspection Date: _____

APPROVAL

Fire Chief

Date



CERTIFICATE OF LIABILITY INSURANCE

11/1/2019

DATE (MM/DD/YYYY)

11/1/2018

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).

PRODUCER Lockton Companies 3280 Peachtree Road NE, Suite #250 Atlanta GA 30305 (404) 460-3600	CONTACT NAME: _____	
	PHONE (A/C, No, Ext): _____	FAX (A/C, No): _____
E-MAIL ADDRESS: _____		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Everest Indemnity Insurance Company		10851
INSURER B: _____		
INSURER C: _____		
INSURER D: _____		
INSURER E: _____		
INSURER F: _____		

COVERAGES **CERTIFICATE NUMBER:** 12292575 **REVISION NUMBER:** XXXXXXXX

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"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER: _____	N	N	SI8GL00242-181	11/1/2018	11/1/2019	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
	AUTOMOBILE LIABILITY <input 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			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident)	\$ XXXXXXXX
							BODILY INJURY (Per person)	\$ XXXXXXXX
							BODILY INJURY (Per accident)	\$ XXXXXXXX
							PROPERTY DAMAGE (Per accident)	\$ XXXXXXXX
								\$ XXXXXXXX
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE	\$ XXXXXXXX
							AGGREGATE	\$ XXXXXXXX
								\$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	NOT APPLICABLE			PER STATUTE	
							OTH-ER	
							E.L. EACH ACCIDENT	\$ XXXXXXXX
							E.L. DISEASE - EA EMPLOYEE	\$ XXXXXXXX
							E.L. DISEASE - POLICY LIMIT	\$ XXXXXXXX

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER**CANCELLATION**

12292575
 CUB FOODS WEST 90294
 CITY OF WHITE BEAR LAKE TOWNSHIP
 1059 MEADOWLAND DRIVE
 WHITE BEAR LAKE TOWNSHIP MN 55127

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

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**Town Board Meeting
April 1, 2019**

Agenda Number: 5E – Consent Agenda

Subject: Township Day Independent Contractor Agreement –
Based on Town Attorney Review & Recommendation Approve Revised Independent Contractor Agreement Township Day with Lisa Beecroft now d/b/a Beecroft Marketing & Events LLC

Documentation: Staff Memo w/ attachments

Action / Motion for Consideration:

Receive Information / Discuss

Based on Town Attorney Review & Recommendation Approve Revised Independent Contractor Agreement Township Day with Lisa Beecroft now d/b/a Beecroft Marketing & Events LLC & Noting the Addition of #9 – Insurance Requirement

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: MARCH 27, 2019

SUBJECT: TOWNSHIP DAY INDEPENDENT CONTRACTOR AGREEMENT

At the February 20th Town Board meeting the Board approved the Contract between Lisa Beecroft & the Town for Township Day and Movie in the Park. When Lisa came into the office to sign the contract she informed me that she had now formed an "LLC", and her official name was now Beecroft Marketing & Events LLC.

Upon contacting the Township Attorney he advised that a new Agreement needed to be signed.

Requested Action:

Approve the revised Independent Contractor Agreement Township Day with Beecroft Marketing & Events LLC, and noting the addition of the #9 – Insurance (see Lisa Beecroft email regarding receipt of insurance certificate).

PSW/s

Patti Walstad

From: Lisa Beecroft <lisa.beecroft@me.com>
Sent: Wednesday, March 27, 2019 1:23 PM
To: Patti Walstad
Cc: Tom Riedesel
Subject: Re: Contract

Hi Patti,

I removed the items that were crossed out, and made some minor adjustments (for clarity) to the services. I am in the process of getting Liability Insurance and will have it at least one week prior to the first event. Let me know when the contract is approved on your end, and I will come on up to sign it.

Thank you,

Lisa

On Mar 12, 2019, at 11:07 AM, Patti Walstad <Patti.Walstad@whitebeartownship.org> wrote:

Hi Lisa, please see the attached changes the Town Attorney made to your Contract.

Patti

Patti S. Walstad

Patti S. Walstad
Paralegal
White Bear Township
1281 Hammond Road
White Bear Township MN 55110

Direct Dial – 651-747-2756
Office – 651-747-2750
Fax – 651-426-2258
E-mail – patti.walstad@whitebeartownship.org

Find us on FaceBook!

<Township Day Contract Beecroft.docx>

Independent Contractor Agreement Township Day

This Independent Contractor Agreement (the "Agreement") is entered into by and between the Town of White Bear hereinafter ("Town"), a governmental political subdivision of the State of Minnesota with its principal place of business at 1281 Hammond Road, White Bear Township, Minnesota 55110, and Beecroft Marketing & Events LLC, hereinafter ("Beecroft"), an independent contractor residing at 4986 Campbell Avenue, White Bear Lake, Minnesota.

WHEREAS, the Town is desirous of contracting for the services of an Independent Contractor to coordinate the annual Township Day event of 2019 and Movies in the Park (4),

WHEREAS, Beecroft desires to enter into an Independent Contractor Agreement for Township Day of 2019 and Movies in the Park (4),

NOW, THEREFORE, it is agreed by and between the parties as follows:

1. Purpose of Contract.

- a. Beecroft shall provide consultant services and serve as Director and coordinator of Township Day and Movies in the Park from May 2019 to October 2019.

2. Term of Contract.

- a. The term of the Contract shall start March 2019 through October 2019.

3. Scope of Services.

Township Day:

Beecroft agrees to perform services as stated below. Beecroft will also present all ideas to the Park Board for their consideration, and at the direction of the Town, Beecroft agrees to be responsible for the complete operation of Township Day, which includes, but is not limited to the following:

- Plan and hire entertainment (with Park Board approval) including music, kid's activities, bands/sound, car show/bean bag tournament, petting zoo, Touch a Truck, etc. and any new activities
- Sell and manage vendor spaces
- Procure sponsorships
- Plan festival logistics and layout
- Coordinate participation with Township, Fire Department, and Ramsey County Sheriff, WB Historical Society, etc.

- Work with Ramsey County Health Department
- Maintain records of contracts and contributors
- Communicate event information and responsibilities to Board, vendors, sponsors, entertainers, etc.
- Maintain an event budget (working with the Park Board)
- Plan and execute marketing plan (working with Park Board)
- Schedule and coordinate event day volunteers
- On-site event coordination the day of the event
- Post-event follow-up and thank you notes, event summary, and report to Park Board

Movies in the Park:

Beecroft agrees to perform services as stated below. Beecroft will also present all ideas to the Park Board for their consideration, and at the direction of the Town, Beecroft agrees to be responsible for the complete operation of the Movies in the Park (4) which includes, but is not limited to the following:

- Book movies/projection company
- Coordinate movie selection with Movie Hosts and present to the Park Board, with the final selection made by Beecroft with staff approval.
- Promote events via print, WBP ads, web calendars, billboard, social media
- Act as lead contact for event, including being onsite at each movie - setup, movie and teardown
- Each month feature a local organization/student group as the monthly host to do performances/activities, help promote the movie to their audience and to sell concessions (I will provide tent/table).

It is hereby understood that any contract with third parties for the matters set out in this Section 3 will not be effective until approved by the Town Board.

4. Compensation.

Township Day Director/Coordinator:

In consideration for the above-described services, the Town shall pay Beecroft a set fee of Seven Thousand (\$7,000.00) Dollars in the following installments:

- a. \$1,000.00 due on the first of each month from March 2019 through October 2019.

Movie in the Park:

- a. In consideration for the above-described services, the Town shall pay Beecroft a set fee of Three Hundred Fifty (\$350.00) Dollars per night for each Movie in the Park.

5. Independent Contractor Relationship.

- a. No Agency Relationship. Beecroft agrees to perform the services pursuant to this Agreement solely as an independent contractor. This Agreement does not create any actual or apparent agency, partnership, franchise, or employer and employee relationship between the parties. Beecroft is not authorized to enter into or commit the Town to any agreements and shall not represent or hold herself out as an employee agent with legal authority to bind the Town.
- b. No Benefits. Beecroft shall not be entitled to participate in any of the Town's employee benefits, including without limitation any health or retirement plans. Beecroft shall not be entitled to any remuneration, benefits, or expenses other than those specifically provided for in this Agreement.
- c. No Taxes. The Town shall not be liable for federal, state, and local taxes, workers' compensation, unemployment insurance, employer's liability, employer's FICA, social security, withholding tax, or any other taxes or withholding for or on behalf of Beecroft in performing the services under this Agreement. All such costs shall be the sole responsibility of Beecroft.

6. Proprietary Rights.

- a. Beecroft acknowledges that she has no right to or interest in her work or product resulting from the services performed hereunder, or any of the documents, reports, or other materials created by Beecroft in connection with said services, nor any right to or interest in any copyright herein. Beecroft acknowledges that the services and the products thereof have been specially commissioned or ordered by the Town as "works made-for-hire" as that term is used in the Copyright Law of the United States, and that the Town is therefore to be deemed the author of and is the owner of all copyrights in and to such materials.
- b. In the event that the materials, or any portion thereof, are for any reason deemed not to have been works made-for-hire, the Independent Contractor hereby assigns to the Town any and all right, title and interest she may have in and to such materials, including all copyrights, all publishing rights, and all rights to use, reproduce, and otherwise exploit the materials in any and all formats or media and all channels, whether now known or hereafter created. Beecroft expressly agrees to execute such instruments as the Town may from time to time deem necessary or desirable to evidence, establish, maintain and protect the Town's ownership and all other rights, title and interest therein.
- c. All proceeds or fees received by Beecroft relating to the operation of Township Day and/or Movie in the Park (including but not limited to, selling

of vendor space and procuring sponsorships) shall be the property of the Township.

7. Non-Discrimination.

- a. Beecroft agrees that during the life of the contract, Beecroft will not, within the State of Minnesota, discriminate against any employee or applicant for employment because of race, color, creed, national origin or ancestry, or sex, and will include a similar provision in all subcontracts entered into for the performance thereof. The contract may be cancelled or terminated by the Town and all money due or to become due may be forfeited for a second or subsequent violation of the terms or conditions of this Paragraph. This paragraph is inserted in the Contract to comply with the provisions of Minnesota Statutes, 181.59.

8. Indemnification.

- a. Beecroft agrees to indemnify and hold harmless the Town, its agents, officers, and employees from any and all claims, causes or action, liabilities, losses, damages, costs, expenses, including reasonable attorneys' fees, suits, demands and judgments of any nature because of bodily injury to or death of any person or persons and/or because of damages to property of Beecroft or others, including loss of use from any cause whatsoever, including copyright claims, which may be asserted against the Town on account of any act or omission, including negligence of Beecroft, or Beecroft's employees or agents in connection with Beecroft's performance of this Contract. Beecroft agrees to defend any action brought against the Town on any such matter, and to pay and satisfy any judgment entered thereof, together with all cost and expenses incurred in connection therewith. The Town shall in no way be liable for any claims or charges incurred by Beecroft in the performance of this Contract.
- b. The Town agrees to indemnify and hold harmless Beecroft, her agents, officers, and employees from any and all claims, causes or action, liabilities, losses, damages, costs, expenses, including reasonable attorneys' fees, suits, demands and judgments of any nature because of bodily injury to or death of any person or persons and/or because of damages to property of the Town or others, including loss of use from any cause whatsoever, which may be asserted against Beecroft on account of any act or omission, including negligence of the Town, or the Town's employees or agents in connection with the Town's performance of this Contract. The Town agrees to defend any action brought against Beecroft on any such matter, and to pay and satisfy any judgment entered thereof, together with all cost and expenses incurred in connection therewith. Beecroft shall in no way be liable for any claims or charges incurred by the Town in the performance of this Contract.

9. Insurance.

Beecroft is required to obtain liability insurance for the Event. The Licensee agrees to obtain coverage in the amount of at least \$1,000,000.00 per occurrence and \$2,000,000.00 per incident. The Town shall be a named insured on said policy. Said policy shall be delivered to the Town at least seven (7) days prior to the Event and Town shall, at its sole discretion, have the right to require any amendments to the terms and coverages set forth in the insurance certificate.

10. Termination.

- a. It is understood the essence of this Contract is high quality service to those whom frequent Township Day. As such, if the Town determines that Beecroft is in breach of any provision of this Contract, written notice will be sent to Beecroft allowing her thirty (30) days to comply. Upon failure by Beecroft to comply with the Contract by the end of the thirty (30) day period, the Town will terminate the Contract and shall be released of its obligations.
- b. Upon any failure of Beecroft to fulfill any of the provisions of the Contract, the Town shall be authorized to hire services and equipment, or assign the Town employees and equipment, as may be necessary to do such work, and the cost of such expenses thereof may be charged and deducted from any monies due the Contract.

11. Notice.

- a. Except as otherwise herein provided, all notices required to be served by either party on the other, shall be placed in writing and forwarded by certified mail to the principal office of the party to which notice is given, as follows:

To the Town:

Town of White Bear
Clerk-Treasurer
1281 Hammond Road
White Bear Township MN 55110

To Beecroft:

Beecroft Marketing & Events LLC
4986 Campbell Avenue
White Bear Lake, MN 55110

12. General Terms.

- a. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.
- b. Entire Agreement. This Agreement represents the entire Agreement between the parties and may not be amended, changed, or supplemented in any way except by written agreement signed by both parties.

- c. Severability. Should any provision of this Agreement be determined to be unenforceable or illegal, the validity of the remaining provisions shall not be affected.

Dated: April 1, 2019.

Dated: _____, 2019.

Town of White Bear

By: _____
ED M. PRUDHON, Chair

BEECROFT MARKETING & EVENTS LLC
Independent Contractor

Attest:

By: _____
PATRICK CHRISTOPHERSON,
Clerk-Treasurer



**Town Board Meeting
April 1, 2019**

Agenda Number: 5F – Consent Agenda

Subject: WBL School District #624 – The BearPower Family Breakaway Bike Ride – Based on Staff Review & Recommendation Approve WBL School District #624’s Use of Township Roads on Saturday, May 18, 2019, from 9:30-11:00 a.m., to Hold The BearPower Family Breakaway Bike Ride & Direct that the Event Coordinator Work With Township Staff Regarding Sign Placement

Documentation: Staff Memo w/ attachments

Action / Motion for Consideration:

Receive Information / Discuss

WBL School District #624 – The BearPower Family Breakaway Bike Ride – Based on Staff Review & Recommendation Approve WBL School District #624’s Use of Township Roads on Saturday, May 18, 2019, from 9:30-11:00 a.m., to Hold the WBL School District #624 The BearPower Family Breakaway Bike Ride & Direct that the Event Coordinator Work With Township Staff Regarding Sign Placement

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: MARCH 28, 2019

SUBJECT: THE BEARPOWER FAMILY BREAKAWAY BIKE RIDE

WBL School District #624 has requested approval from the Township for the TheBearPower Family Breakaway bike ride to be held on May 18th from 9:30 – 11:00. The ride will be taking place on Township streets (the ride consists of two different routes). This event has been held for the past four years without incident.

In accordance with the Special Events policy, a certificate of insurance is on file listing White Bear Township as an additional insured.

PSW/s
cc:admin.file

3/27/19

White Bear Township
1281 Hammond Road
White Bear Township, MN 55110
Attn. Tom Riedesel

Tom,

The White Bear Lake School District along with our BearPower partners requesting the use of White Bear Township roads for The BearPower Family Breakaway bike ride on May 18 from 9:30-11am. We will have multiple routes using township streets. We are hoping to have 350 participants as we had 298 last year.

Route 1 will start at Otter Lake School and use the bike path at the corner of Co. Rd H2 and Otter Lake Rd. We will cross and head south through Tamarack Nature Center staying on the path to Hammond Road. We will stay on the path along Hammond heading west up to Polar Lakes Park. Bikers will then turn around and use the same route back to Otter Lake School. This route is for our younger families.

Route 2 will start at Otter Lake School and use the bike path at the corner of Co. Rd H2 and Otter Lake Rd. We will head east on Co Rd H2 and towards Bald Eagle Lake. From the lake bikers will either head north or south (has not been determined yet which way to go but all will go the same way) and continue around the lake and come back to the intersection of Co Rd H2 and West Bald Eagle Blvd. Bikers will then finish at Otter Lake School. This route is for our older families.

We did not need any permits from Ramsey County as long as we are not on the water. We will post volunteers on both routes at intersections where needed for safety. We can work with Township staff to determine which intersections. We will post signage along our routes 5 days in advance and have volunteers for any type of cleanup necessary. Insurance has been requested to cover WB Township and will provide this when available.

Thank you for considering our application and please let me know if you have any further questions. Jon Anderson would be the contact for this event. I can be reached at 651-407-7508 during the day time.

Our BearPower partners are: White Bear Lake Area School District, NE YMCA, and Health Partners.

Jon Anderson
Recreation Facility Coordinator



WHITE BEAR TOWNSHIP SPECIAL EVENTS POLICY

WHEREAS THE TOWN BOARD RECEIVES REQUESTS FROM ORGANIZATIONS FOR SPECIAL EVENTS THAT ARE HELD IN WHITE BEAR TOWNSHIP, THE FOLLOWING POLICY IS HEREBY ESTABLISHED:

- 1) All special events held within the Town limits shall require Town Board approval.
- 2) Applicants shall submit a written request explaining their request, including the date, time of day, maximum number of attendees, responsible person (name and day time phone number), and all streets they are requesting to use during the event.
- 3) The applicant shall submit a Certificate of Insurance for General Liability, in the maximum amount provided by law, naming the Town of White Bear **as an additional insured** for the event. Certificate shall be stated as follows:
"TOWN OF WHITE BEAR, ITS OFFICERS, EMPLOYEES AND ASSIGNS".
- 4) Applicant's request shall include a statement regarding their contact with and approval (if required), from all agencies that may be involved with the event (i.e. RAMSEY COUNTY SHERIFF'S DEPARTMENT; RAMSEY COUNTY PARKS & RECREATION DEPARTMENT, RAMSEY COUNTY PUBLIC WORKS DEPARTMENT, WHITE BEAR LAKE FIRE DEPARTMENT, ETC.)
- 5) Applicant shall provide route notification to the residents and businesses in the affected neighborhoods by way of temporary signs along the route, as directed by the Town Board, a minimum of 5 days in advance of the event. Spraying paint on roads, telephone poles and sidewalks is prohibited - chalk is acceptable. Permanent road signage such as speed limit signs and directional signs shall not be covered by event signage.
- 6) Applicant shall be responsible for clean-up of all debris, litter, etc., resulting from the event. Applicant shall remove all temporary signage immediately after the event.
- 7) All of the above information must be submitted to the Township Office a minimum of 30 days prior to the Town Board Meeting at which the application will be considered – incomplete applications will not be considered. The 30 day requirement may be waived by the Town Board by petition of the applicant for special circumstances.
- 8) White Bear Township reserves the right to revoke all permits granted.

APPROVED BY THE TOWN BOARD MAY 3, 1999;
Amended May 6, 2002; June 2, 2003; & October 3, 2011

RAMSEY COUNTY SHERIFF'S DEPARTMENT 651-767-0640
RAMSEY COUNTY PUBLIC WORKS DEPARTMENT 651-266-7100
RAMSEY COUNTY PARKS & RECREATION DEPARTMENT 651-748-2500
WHITE BEAR LAKE FIRE DEPARTMENT 651-429-8568



**Town Board Meeting
April 1, 2019**

Agenda Number: 5G – Consent Agenda

Subject: Polar Lakes Park – Based on Public Works Director Review & Recommendation Approve White Bear Lake School District 624's Ballfield Preparation/Maintenance Proposal for 2019

Documentation: Public Works Director Memo w/ attachments

Action / Motion for Consideration:

Receive Information / Discuss

Based on Public Works Director Review & Recommendation Approve White Bear Lake School District 624's Ballfield Preparation/Maintenance Proposal for Polar Lakes Park for 2019 in the Amount of \$9,500, Noting Funding From the Parks Operating Budget under Contractual Services

**Minutes
Town Board Meeting
March 5, 2018**

POLAR LAKES PARK – APPROVE WHITE BEAR LAKE SCHOOL DISTRICT 624'S BALLFIELD PREPARATION/MAINTENANCE PROPOSAL FOR 2018: The Public Works Director reported that for the past four years the Town has used School District #624 for ballfield maintenance services for baseball fields #1 and #3 at a cost of \$6,000 per year. This year the District has provided a proposal for the 2018 season for maintenance of fields #1 #3 and #4 at a cost of \$8,000. The increased fee is related to the addition of field #4 maintenance, labor, equipment and material costs. The District services included in the proposal are similar to last year and include daily maintenance and game preparation, maintenance to aglime (skinned) areas, weekend game preparation, consulting services on recommended improvements to the existing ballfields. The WBLSD 624 will provide hands on training for Township staff on field maintenance as time and manpower allows. The Public Works Director stated that eventually the plan is for Town staff to do the field prep.

Ruzek moved, based on Public Works Director's review and recommendation to approve the White Bear Lake School District 624's proposal to provide field maintenance services for fields #1, #3, and #4 for the 2018 season for \$8,000 with funding from the Parks Operating Budget under Contractual Services. Prudhon seconded. Ayes all.

MEMORANDUM

Date: March 27, 2019
To: Town Board
From: Dale Reed, Public Works Director
Re: Ballfield Preparation/Maintenance Proposal by White Bear Lake School District

White Bear Lake School District 624 (WBLSD624) performed ballfield maintenance services during the last 5 (five) seasons (2014-2018) at the Polar Lakes baseball fields 1, 3, and 4 at \$8,000.00 per year. This year the district has provided a proposal for the 2019 season for maintenance of fields 1, 2, 3 and 4 located at Polar Lakes for \$9,500.00. The increased fee is due to the addition of field 2 maintenance, labor, equipment and material costs.

The district services included in the proposal similar to last year and include daily maintenance and game preparation, maintenance to aglime (skinned) areas, weekend game preparation, consulting services on recommended improvements to the existing ballfields, and etc. (see attached proposal for details). The fee for this service is \$9,500.00 for the 2019 season to cover the expenses related to staffing, materials, and ballfield maintenance equipment. The WBLSD624 will provide hands on training for Township staff on field maintenance as time and labor allows.

I am recommending that we accept WBLSD624's proposal to provide the field maintenance services for \$9,500.00 for the 2019 season based upon last five years' experience. Funding for the field maintenance agreement would be from the Parks Operating Budget under Contractual Services.

Town Board action is to approve WBLSD624's proposal to provide field maintenance services for the 2019 season for \$9,500.00



White Bear Lake Area Public Schools
Independent School District 624

Department of Community Services and Recreation
4855 Bloom Avenue, White Bear Lake, MN 55110
(651) 407-7500 Fax (651) 407-7502
www.isd624.org

3/21/19

Dale Reed - Public Works Director
White Bear Township
1281 Hammond Rd
White Bear Township, MN 55110

For your consideration, White Bear Schools will provide baseball field maintenance services, on a seasonal basis, in cooperation with the township maintenance staff.

We will provide consulting, planning, monitoring and maintenance services in an effort to continually improve 4 ballfields in the Polar Parks baseball complex during the active season. This agreement covers the three fields that will be playable during the 2019 baseball season.

Services include:

- Daily maintenance and game preparation
- Provide consulting services for continual improvement of the park
- Identify and repair soil or turf surrounding irrigation heads for player safety
- Properly maintaining the turf/skinned edge to prevent dangerous build-up
- Maintaining the skinned areas of the fields including warning track, batting cages and sidelines
- Recycling of pulverized infield materials on mound home plate area and bases
- Maintaining base lines and repairing cupping or build up in high use areas
- Application and removal of skinned area conditioners to respond to field moisture conditions in an effort to provide a safe, playable surface after poor weather
- Establishing and maintaining proper depths of top grade and packed foundation for all skinned areas
- Attempt to correct unsafe wet spots on playing surface before scheduled games
- Grooming of high traffic areas in the commons area
- Communicating and coordinating with township employees to improve the facilities
- Weekend game preparation
- Coordination of field schedules and communication to field users
- Tournament field preparation charges negotiated by Community Services with user groups

Service dates: April 15 to August 15 For services provided, we are asking payment of \$9500.00 from WB Township payable to ISD 624. Payment is due by June 1, 2018.

Chemicals, Infield Ag-Lime, mound clay, and bases are provided by White Bear Township.
All ballfield chalk, soil drying agents will be provided by ISD 624

Thank you for this opportunity to partner with White Bear Township.

Regards,

Jon Anderson
Recreation & Facility Coordinator

Town Board Chair

ADDENDUM

The following language shall be incorporated and made a part of that Agreement dated March 21, 2019, by and between Independent School District 624 and the Town of White Bear concerning baseball field maintenance services provided by the School District to the Town.

Independent School District 624 shall indemnify and hold harmless and defend the Township, its officials, employees, volunteers and agents from any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees, which the Township, its officials, employees and agents may hereafter sustain, incur or be required to pay, arising out of or by reason of any act or omission of Independent School District 624, its employees or agents, in execution, performance or failure to adequately perform its obligations pursuant to this Agreement. Under no circumstances shall Independent School District 624 be required to defend and indemnify the Township and its officials, employees, volunteers and agents from and against claims resulting from the negligent actions of the Township, including the actions of its officials, employees, volunteers and agents, or its failure to perform its obligations under this Agreement or to maintain the baseball fields.

Each party also specifically intends that the single tort cap limit specified for cooperative agreements under Minnesota Statutes § 471.59, Subd. 1(a), or as such statutes may be amended or modified from time to time, shall apply to this Agreement and to the activities of the parties hereunder. The statutory limits for the parties may not be added together or stacked to increase the maximum amount of liability for either party.

It is agreed that nothing contained in this Agreement is intended or should be construed as creating the relationship of agents, partners, joint venturers, or associates between the parties hereto or as constituting Independent School District 624 as the employee of the Township for any purpose or in any manner whatsoever. Independent School District 624 is an independent contractor and neither it, its employees, agents nor representatives are employees of the Township.

INDEPENDENT SCHOOL DISTRICT 624

TOWN OF WHITE BEAR

By: _____

By: _____
It's Town Chair

By: _____

By: _____
It's Town Clerk



**Town Board Meeting
April 1, 2019**

Agenda Number: 6A – Old Business

Subject: None

Documentation:

Action / Motion for Consideration:



**Town Board Meeting
April 1, 2019**

Agenda Number: 7A – Public Hearing

Subject: Vacation of Excess Right-of-Way @ 5331 West Bald Eagle Boulevard –Consider Vacating the Excess Right-of-Way

Documentation: Petition to Vacate Parts of Bald Eagle Boulevard West / Public Notice / DNR & Resident Letter / Map / Affidavit of Publication / Certificate of Posting / Proposed Resolution Vacating Excess Right-of-Way on West Bald Eagle Boulevard

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 Staff Review & Recommendation Approve the Vacation of Excess Right-of-Way on West Bald Eagle Boulevard as it Relates to 5331 West Bald Eagle Boulevard

&

Adopt Resolution Vacating Excess Right-of-Way on West Bald Eagle Boulevard

Ruzek – Moves

McCune – Seconds

Noting that this Vacation of Excess Right-of-way is Consistent with Others Along East & West Bald Eagle Boulevard

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

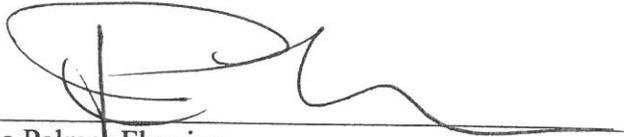
**To: White Bear Township, 1281 Hammond Road, White Bear Township, Minnesota
55110**

Lisa Palmer Fleming, owning property in White Bear Township, Minnesota addressed at:

5331 Bald Eagle Boulevard West
White Bear Township, MN 55110

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

In Witness Whereof, the undersigned has set her hand this 22 day of October, 2018.

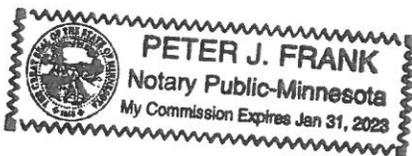


Lisa Palmer Fleming

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

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 22 day of October, 2018 by Lisa Palmer Fleming.



Notary Public

This Petition was Prepared by:
GDO Law
Christopher L. Olson (#0395191)
4770 White Bear Parkway, Suite 100
White Bear Lake, MN 55110
651-426-3249

EXHIBIT A

That part of Bald Eagle Boulevard West, formerly known as Lake Avenue or County Road, as platted in the plats of Milner's Lake Add., Town of Bald Eagle and The Eyrie which lies 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 South 68 degrees 29 minutes 42 seconds West for 25.63 feet; thence South 78 degrees 51 minutes 31 seconds West for 291.86 feet; thence South 81 degrees 20 minutes 23 seconds West for 362.59 feet; thence North 89 degrees 24 minutes 04 seconds West for 411.28 feet; thence North 86 degrees 43 minutes 14 seconds West for 127.11 feet; thence North 69 degrees 32 minutes 32 seconds West for 228.94 feet; thence North 56 degrees 17 minutes 24 seconds West for 324.10 feet; thence North 32 degrees 18 minutes 35 seconds West for 130.06 feet; thence North 22 degrees 42 minutes 36 seconds West for 147.16 feet; thence North 26 degrees 45 minutes 47 seconds West for 251.85 feet through a point on the east and west quarter line said point being 726.40 feet easterly of the west quarter corner of said Section 11; thence North 26 degrees 17 minutes 23 seconds West for 331.66 feet; thence North 28 degrees 07 minutes 28 seconds West for 315.32 feet; thence North 25 degrees 01 minutes 36 seconds West for 252.59 feet to the easterly extension of the northerly line of Lot 7, The Eyrie and there terminating.

Except that part described in Document No. 1249479, and except that part lying southerly of said 66 foot strip adjoining Lots 7 and 8, Block 1, Milner's Lake Add. and adjoining Block 13, Town of Bald Eagle and adjoining Blocks I and 2, Bensons Rearrangement of Block Twelve Bald Eagle and adjoining vacated Benson Street and St. Anthony.

And which lies between the Northeasterly Extension of the Southeasterly line of Lot 13, the Eyrie and the Northeasterly Extension of the Southeasterly line of Lot 1, Block 2, Millners Lake Addition, all in Ramsey County, Minnesota.

EXHIBIT A

That part of Bald Eagle Boulevard West, formerly known as Lake Avenue or County Road, as platted in the plats of Milner's Lake Add., Town of Bald Eagle and The Eyrie which lies outside of a 66 foot strip of land retained for road purposes, the centerline of which is described as follows:

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Except that part described in Document No. 1249479, and except that part lying southerly of said 66 foot strip adjoining Lots 7 and 8, Block 1, Milner's Lake Add. and adjoining Block 13, Town of Bald Eagle and adjoining Blocks I and 2, Bensons Rearrangement of Block Twelve Bald Eagle and adjoining vacated Benson Street and St. Anthony.

And which lies between the Northeasterly Extension of the Southeasterly line of Lot 13, the Eyrie and the Northeasterly Extension of the Southeasterly line of Lot 1, Block 2, Millners Lake Addition, excepting that part previously vacated by resolution dated _____ and record as Document No.. _____ Ramsey County Recorder's records, all in Ramsey County, Minnesota.

EXHIBIT B

Lisa Palmer Fleming
5331 Bald Eagle Boulevard West

The undersigned residents and voters in White Bear Township join in the attached Petition to Vacate Parts of Bald Eagle Boulevard West.

Jami Dickey
Signature

Jami Dickey
Printed Name

Address

Roger Dickey
Signature

Roger Dickey
Printed Name

5338 Carolyn Ln
Address

Signature

Bob PAINE
Printed Name

5258 E. Bald Eagle Blvd
Address

R Alvin
Signature

Printed Name

Address

Michael C Fleming
Michael C Fleming
5520 Shodyside Lane
WBT 55110

DAN LABORE
5000 Portland Ave
WBT

John A. Cox
Signature

JOHN A. COX
Printed Name

4373 OAKMEDE LN; WBT
Address

Mary R. Cox
Signature

Mary R. S. Cox
Printed Name

4373 Oakmeade LN WBT
Address

John M. Cherek
Signature

JOHN M. CHEREK
Printed Name

4381 OAKMEDE LN. WBTownship
Address

Linda M Cherek
Signature

LINDA M CHEREK
Printed Name

4381 Oakmeade Lane WBTownship
Address



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, April 1, 2019 @ 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:

5331 West 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 23rd day of January, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS



PATRICK CHRISTOPHERSON, Clerk-Treasurer



Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

January 25, 2019

Commissioner Sarah Strommen
Minnesota DNR
500 Lafayette Road
St. Paul, Minnesota 55055-4040

**Re: Vacation of Excess Right-of-Way
5331 West Bald Eagle Boulevard**

Certified Mail/Return Receipt

Dear Commissioner Strommen:

Enclosed please find the following documents:

- Notice of Hearing to Vacate Excess Right-of-Way in the Town of White Bear, Ramsey County, Minnesota;
- Petition to Vacate Excess Right-of-Way in the Town of White Bear, Ramsey County, Minnesota; and
- Draft Resolution Vacating Excess Right-of-Way on West Bald Eagle Boulevard.

Please note that the Public Hearing on this matter has been scheduled for Monday, April 1, 2019 @ 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota 55110.

Sincerely,

Patti Walstad
Paralegal

PSW/s
Encls.
cc:admin/add.file
cc:Christopher Olson





**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

Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

March 21, 2019

Lisa Fleming
5331 Bald Eagle Boulevard West
White Bear Township MN 55110

**Re: Vacation of Excess Right-of-Way
5331 West Bald Eagle Boulevard**

Dear Ms. Fleming:

This is a reminder letter regarding the upcoming April 1st, Public Hearing on the vacation of excess right-of-way proceedings that have been initiated.

Enclosed please find the following documents:

- Notice of Hearing to Vacate Excess Right-of-Way in the Town of White Bear, Ramsey County, Minnesota;
- Petition to Vacate Excess Right-of-Way in the Town of White Bear, Ramsey County, Minnesota; and
- Draft Resolution Vacating Excess Right-of-Way on West Bald Eagle Boulevard.

Please note that the Public Hearing on this matter has been scheduled for Monday, April 1, 2019 @ 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota 55110.

Sincerely,

Patti Walstad
Paralegal

PSW/s
Encls.
cc:admin/add.file
cc:Christopher Olson



recycled paper



Legend



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

Notes

Enter Map Description

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



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 two successive weeks: it was first published on Wednesday, the 13th day of March, 2019 and was thereafter printed and published on every Wednesday to and including Wednesday, the 20th day of March, 2019.

- 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 \$17.37/inch

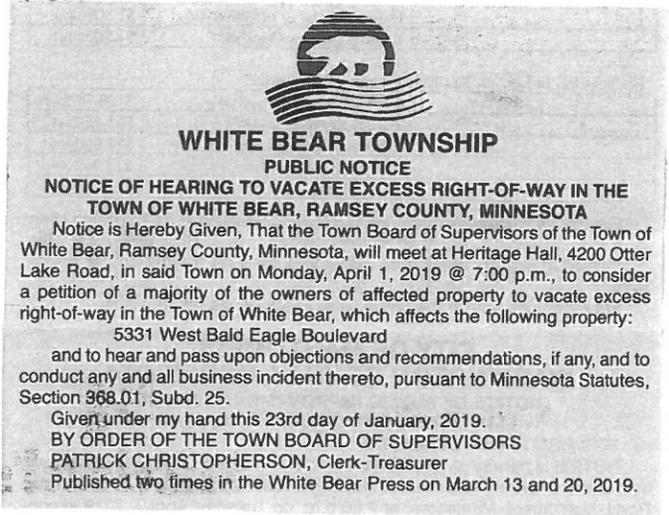
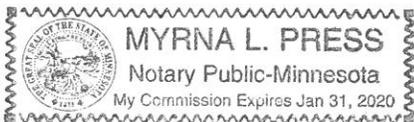
5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the 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 20th day of March, 2019.

[Signature]
Notary Public



STATE OF MINNESOTA)

) ss.

Affidavit of Posting

COUNTY OF RAMSEY)

PATRICK CHRISTOPHERSON, being first duly sworn, deposes and says: That he is the duly qualified and acting Clerk of the Town of White Bear, Ramsey County, Minnesota; that on the 15th day of March, 2019, he posted the attached Notice in four (4) conspicuous places in the Town of White Bear, Minnesota; and that said Notice remained so posted for a period of at least two (2) weeks and until after April 1, 2019.

A handwritten signature in black ink, appearing to be 'P. Christopherson', written over a horizontal line.

PATRICK CHRISTOPHERSON, Clerk-Treasurer

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON APRIL 1, 2019

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 April 1, 2019.

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

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION VACATING EXCESS
RIGHT-OF-WAY ON WEST BALD EAGLE BOULEVARD**

WHEREAS, located within the boundaries of the Town of White Bear are plats of Milner's Lake Add., Town of Bald Eagle and The Eyrie. That dedicated on said plat is a public right-of-way known as Bald Eagle Boulevard West,

AND WHEREAS, Lisa Palmer Fleming has petitioned for partial vacation of said Bald Eagle Boulevard and the Town, after due investigation, has determined that partial vacation of said right-of-way would not adversely affect the interests of the Town subject to the retention of certain easements and restrictions on use of the vacated right-of-way,

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

That portion of Bald Eagle Boulevard West described in Exhibit A attached hereto shall be vacated and all public easements terminated subject to the following conditions:

1. Payment by the Petition to the Town of White Bear the sum of \$1,000.00.
2. That no permanent structure shall be placed within the vacated right-of-way unless a building permit is issued and there shall be no permanent changes to the topography of the right-of-way as it exists at the time of this Resolution.



**Town Board Meeting
April 1, 2019**

Agenda Number: 7B – Public Hearing

Subject: Conditional Use Permit Request @ 2401 Buffalo Street – Consider Granting a Conditional Use Permit to Allow an Entryway Expansion at Eagle Brook Church

Documentation: Staff Memo w/ attachments / Public Notice / Resident Letter / Mailing List / Affidavit of Publication / Conditional Use Permit Application / Proposed Conditional Use Permit/Zoning Certificate & Requirements

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 Approve the Conditional Use Permit / Zoning Certificate & Requirements for Eagle Brook Church, 2401 Buffalo Street, to allow Construction of an Entryway Expansion

**Minutes
Planning Commission Meeting
February 28, 2019**

EAGLE BROOK CHURCH, 2401 BUFFALO STREET – REQUEST FOR A CONDITIONAL USE PERMIT TO CONSTRUCT AN ADDITION: Eagle Brook Church is requesting approval of a Conditional Use Permit which would permit them to remodel and add a 4,161 square foot addition onto the entryway to the church. The addition is proposed to create a larger lobby and to create greater flow in the building. The “café” will be relocated and that space will provide room to build a vestibule in front of the worship center. The addition will allow the removal of a partition behind the gym and worship center, making that space part of the worship center. Approximately 250 new seats may be added to the worship center as a result of this change. Currently, the church seats 1,080 people.

No parking will be eliminated with the proposed addition. The Town requires one parking space per four seats. Based on the 500 currently painted and paved parking stalls, 2,000 seats can be provided. The church will seat up to 1,330 people with this proposed addition.

Based Eagle Brook Church's proposal which meets the standards laid out in section 9-4.4 of Ordinance No. 35, Artner motioned to approve the Conditional Use Permit to construct an addition. Kotilinek seconded. Ayes all.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: FEBRUARY 19, 2019

SUBJECT: BUILDING ADDITION
REQUEST: CONDITIONAL USE PERMIT

LOCATION: 2401 BUFFALO STREET
APPLICANTS: EAGLE BROOK CHURCH, RICHARD STUERMAN, BWBR ARCHITECTS
ZONING: R-1, SUBURBAN RESIDENTIAL

Eagle Brook Church is requesting approval of a Conditional Use Permit which would permit them to remodel and add a 4,161 square foot addition onto the entryway to the church. Currently, the area proposed for the addition is a covered entry with drive lane. The covered drive lane is proposed to be eliminated but an existing drive lane would remain intact and will become a new drop off area. The addition is designed so existing exterior sidewalks can be incorporated into the new addition.

The addition is proposed to create a larger lobby and to create greater flow in the building. An existing "café" will be relocated within the church and provides room to build a vestibule in front of the worship center. In addition, the addition will allow removal of a partition behind the gym and worship center making the space part of the worship center. Approximately 20 to 120 new seats may be added to the worship center as a result. The church currently seats 1,080 people.

The proposed addition will be built over an area which is primarily impervious surfacing. The added impervious area is proposed to be less than 1,000 square feet. No parking is to be eliminated with the proposed addition. There are approximately 500 paved parking spaces on site. The Town requires 1 parking stall per 4 seats. Based on the 500 stalls, 2,000 seats can be provided. The church will seat up to 1,200 people with the proposed addition.

A Conditional Use Permit must be approved for expansion of the church or modifications to the site. Section 9-4.4 of Ordinance No. 35 sets the standards which must be met in order to approve 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.

The addition as proposed appears to meet the standards set forth by the Zoning Ordinance to approve a Conditional Use Permit. If recommended for approval, the approval should be subject to meeting all requirements of the Town Engineer and Town Fire Inspector.

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

MEMORANDUM

TO: James E. Studenski
FROM: Zach Moen, EIT
PROJECT: Eagle Brook Church Addition – White Bear Lake Campus
SUBJECT: Existing and Proposed Stormwater Management
DATE: 2/7/2019
CC: Tom Riedesel, Trevor Gruys

James,

Based on correspondence with you via email on 01/22/19, it is the understanding of the design team that White Bear Township will not require additional stormwater data as long as the proposed project is below the following thresholds:

- Less than 10,000 square feet of new or reconstructed impervious surfaces
- Less than 1 percent change in impervious area draining to existing pond

The existing site consists of a church building, surface pavements, green spaces, and a stormwater pond. The proposed project consists of a 4200 square foot addition and reconfiguration of a drop off lane. The project creates approximately 9,415 square feet of new or reconstructed impervious surfaces. A summary of the predevelopment and post-development impervious areas draining to the pond are shown in Table 1.1 below.

Table 1.1 – Existing and Proposed Impervious Areas Draining to Pond

	Existing Condition	Proposed Condition
Impervious Area Draining to Pond (ft ²)	163,922	163,800
Percent Increase	0.00%	

As seen in Table 1.1, the project creates less than 1 percent of additional impervious area draining to the existing pond; therefore, no additional stormwater data is required.

Thank you,

Zach Moen, EIT
Loucks

Attached: Existing Impervious Areas to Pond Exhibit, Proposed Impervious Areas to Pond Exhibit



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

February 15, 2019

BWBR
380 St. Peter Street STE 600
St. Paul, MN 55102

RE: General Building Plan Review

Project: Eagle Brook Church
2401 Buffalo Street
White Bear Township, MN 55110

The plans for the above project have been reviewed. Please review the comments listed below and let me know if you have any questions.

Specific Comments

- For all Fire related questions or inspections, please call (651) 762-4842.



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

General Comments

1. All roads and drive lane shall meet the White Bear Lake Fire Department requirements for widths and turning radiuses. Provide layout showing White Bear Lake Fire Apparatus turning radius overlay on drive lanes.
2. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
3. The fire sprinkler system shall be installed compliant with provisions of 2010 NFPA Standard 13, Installation of Sprinkler Systems. City permit required **prior** to initiation of work.
4. Fire Department sprinkler connection location to be **approved** prior to installation and must be within 100' of a fire hydrant.
5. The fire alarm system, shall be installed compliant with provisions of 2010 NFPA Standard 72, National Fire Alarm Code. City permit required **prior** to initiation of work.
6. The sprinkler system shall be properly monitored by a qualified monitoring company.
7. Install emergency egress illumination in the means of egress including exit discharge compliant with 2015 MSFC.
8. Install compliant exit signage as required by the 2015 MSFC.
9. Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
10. Provide information concerning combustible interior finish materials used for this project. Interior finish materials shall be classified as required by 2015 MSFC as to flame spread and smoke development characteristics. Interior wall and ceiling finish shall have a flame spread index not greater than that specified in 2015 MSFC for the group of proposed occupancy and location of interior finish. Please furnish product specification sheets listing this information.
11. The required fire-resistance rating of rated construction shall be maintained. Openings through rated construction for the passage of wiring, sleeves, conduit,



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

12. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

Codes and Standards Used for this Review

- ❖ This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.
 - 2015 Minnesota State Fire Code
 - NFPA 72, 2010 edition
 - NFPA 13, 2010 edition

Thank You,

A handwritten signature in cursive script that reads "Kurt Frison".

Kurt Frison
Assistant Fire Chief / Fire Marshal
(651) 762-4842



SAINT PAUL | MADISON

380 St. Peter Street, Suite 600
Saint Paul, MN 55102

651.222.3701
bwbr.com

February 7, 2019

Re: Eagle Brook Church Addition and Renovation
2401 Buffalo Street
White Bear Township, MN 55110

Parcel ID: 123022210039

Plat Name: FIRST BAPTIST ADDITION TOWHIT

Legal Description: Ex S 240 Ft & Ex N 956 Ft; The W 82.5 Ft Of E 330 Ft Of Ne 1/4 Of Nw 1/4 In Sec 12 Tn 30 Rn 22 Also The S 240 Ft Of E 1/2 Of W 1/2 Of E 330 Ft Of Ne 1/4 Of Nw 1/4 (subj To St)in Sec 12 Tn 30 Rn 22 And In Sd First Baptist Add To White Bear Lake Outlot A And Ex E 15 Ft Of N 230 Ft;lot 4 Blk 2 And All Of Lot 5 Blk 2

Worship times: Saturday 4PM & 6PM, Sunday 9AM & 11AM; Students Worship: Wednesday 6PM & 7PM

Eagle Brook Church is proposing to add approximately 4,160 sf to expand the lobby space in front of the Worship Center and to convert the gym that is currently used for overflow seating on Sundays to become a permanent part of the Worship Center. Other portions of the gym will be repurposed into support spaces. With approval from the Township Board, EBC plans to break ground in April/May 2019.

The current Lobby is small which limits its ability to function well and impacts the circulation and flow to other parts of the church. The expanded Lobby will provide places for people to get more information about church activities, places for people to connect with others while clearing the way for others to flow through the space and get to other parts of the building like the kids classrooms. The expansion will relocate the café out of the main circulation space, and it will provide room to build a vestibule in front of the Worship Center doors to minimize the disruption of people arriving or departing during the service.

The changes to the Worship Center are small but important. One change is to extend the wall along the access ramp to the platform so the musicians can arrive and depart more discreetly. The second change is remove the operable partition between the gym and worship center and enclose the current overflow area with walls to make it a permanent part of the worship center. This will provide a more cohesive room and give all the attenders a more comfortable and similar experience. With the chairs being movable there are several ways to layout the room, however EBC expects to fit 1,100 – 1,200 seats when complete which is very near to the current set up with overflow that provides 1,080 seats.

The exterior walls of the addition will match the existing building which is a raked architectural precast concrete, with dark bronze aluminum windows. If budget allows, we are proposing to have a sandblasted concrete tower to support a large metal cross that will be seen from Buffalo Street and by those entering the Church.

The 4,161 sf addition will create very little impact to the 13.76 acre site. No parking will be lost and the existing 490 spaces exceeds the townships parking requirement (1 space: 4 seats allows 1,960 seats). Most of the addition is built over impervious surface; so the added impervious is less than 1,000 sf and only 0.28% of the site.

End.



NOTICE OF HEARING ON REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW AN ENTRYWAY EXPANSION 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, April 1, 2019, at 7:00 p.m., to consider the request of the granting of a Conditional Use Permit to allow an entryway expansion in the Town of White Bear, Ramsey County, Minnesota, lying and being in the area described as follows:

Lot 4, Block 2, First Baptist Addition to White Bear Lake, Except the South 240 feet and except the North 956 feet; the West 82.5 feet of the East 330 feet of the Northeast quarter of the Northwest quarter in Section 12, Township 30, Range 22, also the South 240 feet of the East half of the West half of the East 330 feet of the Northeast quarter of the Northwest quarter (subject to Street) in Section 12, Township 30, Range 22,

(Eagle Brook Church, 2401 Buffalo Street)

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

Given under my hand this 4th day of March, 2019.

A handwritten signature in black ink, appearing to read "Patrick Christopherson", written over a horizontal line.

PATRICK CHRISTOPHERSON, 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

Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

March 21, 2019

Township Resident
White Bear Township, Minnesota

Re: Conditional Use Permit Request – Eagle Brook Church

Dear Resident:

Enclosed please find a **Public Notice** regarding the request for a Conditional Use Permit by Eagle Brook Church which would allow the construction of a 4,161 square foot entryway expansion at their facility at 2401 Buffalo.

In accordance with Town Ordinances, a Public Hearing must be held on the matter. Therefore, a Public Hearing has been scheduled for **Monday, April 1, 2019 @ 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 phone, letter or email at tom.riedesel@whitebeartownship.org.

Sincerely,

Patti Walstad
Paralegal

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

Parcel ID: 123022210036

**RODNEY W FILLMORE, CINTHEA I
FILLMORE**
2464 TAYLOR AVE
WHITE BEAR TOWN MN 55110-5710

Parcel ID: 123022210039

EAGLE BROOK CHURCH OF WBL
5212 130TH ST N
HUGO MN 55038-5933

Parcel ID: 123022210009

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

EAGLE BROOK CHURCH
2401 BUFFALO STREET
WHITE BEAR TOWNSHIP MN 55110

RICHARD STUERMAN, BWBR
7015 20TH AVENUE
CENTERVILLE MN 55038

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 20th day of March, 2019.

- 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 \$ 17.37/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 20th day of March, 2019.

[Signature]
Notary Public



WHITE BEAR TOWNSHIP
NOTICE OF HEARING ON REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW AN ENTRYWAY EXPANSION 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, April 1, 2019, at 7:00 p.m., to consider the request of the granting of a Conditional Use Permit to allow an entryway expansion in the Town of White Bear, Ramsey County, Minnesota, lying and being in the area described as follows:
Lot 4, Block 2, First Baptist Addition to White Bear Lake, Except the South 240 feet and except the North 956 feet; the West 82.5 feet of the East 330 feet of the Northeast quarter of the Northwest quarter in Section 12, Township 30, Range 22, also the South 240 feet of the East half of the West half of the East 330 feet of the Northeast quarter of the Northwest quarter (subject to Street) in Section 12, Township 30, Range 22, (Eagle Brook Church, 2401 Buffalo Street)
and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.
Given number my hand this 4th day of March, 2019.
PATRICK CHRISTOPHERSON, Clerk-Treasurer
Published one time in the White Bear Press on March 20, 2019.



CONDITIONAL USE PERMIT APPLICATION FORM

INTRODUCTION

A Conditional Use Permit may be granted or denied by the Town Board after recommendation by the Planning Commission in accordance with Ordinance No. 35 (Zoning), Section 9-4, Conditional Use Permit Procedure.

APPLICANT(S) Stephanie Hauber, EBC PHONE (Home) _____
Richard Stuerman, BWBR (Business) 651-429-9227 (EBC)
(Cell) 651-815-2765 (BWBR)

ADDRESS 7015 20th Avenue
Centerville, MN 55038

PROPERTY OWNER Eagle Brook Church

ADDRESS OF SITE 2401 Buffalo Street ZONING R-1

EXISTING USE OF SITE Church

DESCRIPTION OF CONDITIONAL USE BEING REQUESTED

A 4,000 sf addition to expand the lobby in front of the Worship Center to make more room for attenders to gather after service, to improve circulation to the kids classrooms, to improve the cafe, to convert Gym used for temporary/overflow worship seating to a permanent seating area dedicated to worship.



Fee (\$75.00 plus \$200.00 Expense Deposit)

CHECKLIST:

- _____ Site Plan
- _____ Building locations (dwelling, garage, accessory building).
- _____ Site improvements (parking areas, drives, sidewalks, fences, decks, lighting, etc.).
- _____ Yard (front, side, rear setbacks).
- _____ Wetlands (delineation of streams, water bodies, wetlands & 100 year storm elevation).
- _____ Existing trees (6 inch in diameter or more), large shrubs & proposed landscaping.
- _____ Location of site, with adjacent land use.
- _____ Topography, grading.

It is the policy of White Bear Township that all identifiable costs associated with Conditional Use Permits 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)

2.7.2019

Date

<u>To Be Completed By Office:</u>	
Date Request Received _____	
By _____ (Staff Member)	\$75.00 Fee + \$200 Deposit Received <input type="checkbox"/> Yes <input type="checkbox"/> No
Date Application Complete _____	

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 EAGLE BROOK CHURCH, 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 EAGLE BROOK CHURCH to allow construction of a parking lot area, temporary modular classroom structures, and entryway expansion, in accordance with the attached Requirements, upon a tract of land lying and being in the Town of White Bear, described as follows: (See attached legal description); which tract is of the size and area specified in said application.

This permit is granted upon the express condition that said owner and his 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 1st day of April, 2019.

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 1st day of April, 2019.

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: See attached legal description, and commonly known as: 2401 Buffalo Street, is in a(n) R-1 Suburban Residential District and can be used for the following purpose: Construction of parking lot area, temporary modular classroom structures, and entryway expansion, in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: April 1, 2019.

TOWN CLERK

- CONDITIONAL USE
- PERMITTED USE
- NON-CONFORMING USE
- SPECIAL HOME OCCUPATION
- OTHER: _____

Legal Description

That part between the North line of 6th Street and the extended centerline of Gaston Avenue, East 165 feet of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 12, Township 30, Range 22; (12.30.22.21.0033)

And

The South 240 feet of the East $\frac{1}{2}$ of the West $\frac{1}{2}$ of the East 330 feet of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, (subject to street), all in Section 12, Township 30, Range 22; (12.30.22.21.0032)

And

Except the South 240 feet and except the North 956 feet of the West 82 and 5/10th's feet of the East 330 feet of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 12, Township 30, Range 22; (12.30.22.21.0030)

And

The South 306 feet of the North 956 feet of the West $\frac{1}{2}$ of the West $\frac{1}{2}$ of the East 330 feet of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 12, Township 30, Range 22; (12.30.22.21.0029)

And

The South 320 feet of the following part lying between the extended centerline of Gaston Avenue and the South line of Taylor Avenue, and the East 165 feet of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 12, Township 30, Range 22; (12.30.22.21.0027)

And

Except the South 240 feet and except the North 300 feet of the part South of the centerline of Taylor Avenue, and the East $\frac{1}{2}$ of the West $\frac{1}{2}$ of the East 330 feet of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 12, Township 30, Range 22; (12.30.22.21.0028)

And

Lot 5, Block 2, First Baptist Addition to White Bear Lake; (12.30.22.21.0021)

And

Lot 1, Block 2, First Baptist Addition to White Bear Lake; (12.30.22.21.0019)

And

Outlot A, First Baptist Addition to White Bear Lake; (12.30.22.21.0020)

And

Lot 4, Block 2, First Baptist Addition to White Bear Lake; (12.30.22.21.0016)

And

All of vacated Gaston Avenue accruing, and all of Block 24, Rice's Addition to White Bear, Minn; (12.30.22.12.0066).

CONDITIONAL USE PERMIT

REQUIREMENTS

**Eagle Brook Church
2401 Buffalo Street
White Bear Township, Minnesota**

This Conditional Use Permit supersedes that certain Conditional Use Permit dated March 1, 2004 & that certain Permitted Use Standards Permit dated March 15, 1999.

1. The following Plans are made a part hereof by reference:
 - Site Plan dated 7/21/98;
 - Grading Plan dated 8/20/98;
 - Landscaping Plan dated 3/11/99;
 - Overflow Parking Access Plan dated 12/2/98;
 - Additional and Remodeling Plan dated November 28, 1997;
 - Background Site and Landscaping Plan dated 1/22/04;
 - Title Sheet dated 2/7/19;
 - Existing Conditions dated 2/7/19;
 - Site Demo Plan dated 2/7/19;
 - Site Plan dated 2/7/19;
 - Grading & Erosion Plan Control Plan dated 2/7/19;
 - Utility Plan dated 2/7/19;
 - Civil Details Plan dated 2/7/19;
 - Lower Level Zone/Floor Plan dated 2/7/19;
 - First Level Zone/Floor Plan dated 2/7/19; and
 - Exterior Elevations dated 2/7/19.
2. The Eagle Brook Church Proposal for an Additional Driveway to Buffalo Street, attached hereto as Exhibit A, is hereby incorporated into this permit.
3. All requirements of the Rice Creek Watershed District, dated February 20, 1997, attached hereto, shall be complied with.
4. All transplanted materials which expire shall be replaced in a timely manner.
5. The required sprinkler system must be monitored by an approved central station monitoring company.
6. Emergency exit-way lighting is required.
7. Room occupancy exceeding 50 shall be posted.

8. An approved Fire Department lock box shall be provided by the owner.
9. The building shall be provided with an approved fire alarm system.
10. Panic hardware shall be provided on all exit doors.
11. A fire hydrant shall be located on the north side of the building.
12. All final seating and spacing detail must be provided to the Town Fire Inspector.
13. All roof-top mechanical shall be screened using a 100% opaque material. The color shall compliment the exterior of the building.
14. Drainage and utility easements shall be provided to the Town over all wetland areas and storm water treatment ponds.
15. Best management practices should be implemented during construction to prevent adjacent properties from erosion and sedimentation. The plan should include provisions for proper construction and maintenance of silt fence erosion and a rock construction entrance.
16. All site signage shall meet Town requirements.
17. All parking lot lighting shall consist of "shoebox" type fixtures with the light and lens completely within the fixture and shall not project glare onto adjacent properties.
18. All Federal and State Statutes, rules and regulations, and all local ordinances shall be complied with.

Previous Requirements Which Have Been
Satisfied or are Outdated as of the Date of the Document

1. The exterior of the proposed temporary classroom unit shall be sided to match the existing classroom portion of the building.
2. There shall be "No Smoking" signs posted in the temporary classroom addition.
3. No auxiliary restrooms shall be allowed in the temporary classroom addition.
4. The temporary classroom structure shall be in place for no more than three (3) years from the date of approval. A new Conditional Use Permit must be applied for if the structure is proposed to be in place beyond the date of expiration.

TR/psw
cc:admin/add.file
b:eaglerequirements19

EXHIBIT A

Eagle Brook Church Proposal for Additional Driveway to Buffalo

Request 3-Step Approach

- 1 During winter:
 - Put in temporary gate on east end of soccer field (poles and chains with sign).
 - Control egress with gate, cones, and snow plowing.
- 2 During spring & summer:
 - Continue to use temporary gate while constructing berm and landscaping along the Buffalo side of soccer field.
 - Control egress with gate, cones and berm.
- 3 After Peltier house is removed:
 - Build driveway through lot acquired from Peltiers.
 - Install permanent gate.
 - Complete berm at location of the temporary driveway.

Conditions:

- 1 Left turn only from driveway onto Buffalo.
- 2 Gates open only for worship services and major events, defined as follows:
 - Worship Services -- services taking place in the new worship center in which attendance is expected to be 50% of capacity or greater.
 - Major event -- event other than worship
 - ⇒ During which we expect a significant portion of our paved parking lot to be full, and
 - ⇒ At the end of which we expect the majority of vehicles to exit the lot within 15 minutes.
- 3 In the case of a single service or event, gate will be opened no sooner than one hour before the event and closed no later than one hour after the event.
- 4 In the case of back-to-back services or events, gate will be opened no sooner than one hour before the first service or event, and closed no later than one hour after the last service or event.
- 5 The gate could be opened immediately in case of emergency, such as fire, accident blocking access to the main driveway, etc.

Duration of Restrictions:

Restrictions would be reviewed with any future expansions. This would be part of the White Bear Township Planning Committee and Board review.

RICE CREEK WATERSHED DISTRICT
SUITE 330 ARDEN PLAZA
3535 LEXINGTON AVENUE NORTH
ARDEN HILLS, MN 55128-8056

BCWD PERMIT NO. 96-175

c White Bear Township
Montgomery Watson
Inspector Brough
BCWD File

PERMIT

PERMIT APPLICATION NO. 96-175 Wayne Swearingen

Issued to: First Baptist Church of White Bear Lake, 2401 Buffalo Street, White Bear Township,
MN 55110

Location: 2401 Buffalo Street, White Bear Township

Purpose: Approval of a Final Site Drainage Plan and Wetland Alteration Plan for the construction
of a parking lot addition, 8.5+ acres.

At their meeting on January 22, 1997, the Board of Managers of the Rice Creek Watershed District reviewed your permit application and the recommendation of the District Engineer based upon the following exhibits:

1. Permit Application, dated November 6, 1996, received December 6, 1996.
2. Site Plan prepared by Pasee Engineering, Inc., last revised January 27, 1997, received February 5, 1997.
3. Wetland Mitigation Plan prepared by Pasee Engineering, Inc., dated December 4, 1996, received December 6, 1996.
4. Legal document granting easements over on-site wetlands, ponds, and all other hydrologic features, dated January 31, 1997, received February 5, 1997.
5. BCWD Permit Files 74-39 and 94-205.
6. Cash surety in the amount of \$5,500, received February 5, 1997 from First Baptist Church.

They found the project as planned to be in accordance with the Rules & Regulations and Guidelines of the District and therefore approved the permit as requested, with the following additional stipulations:

Stipulations: 1. The replacement wetland approved as part of this permit shall be constructed concurrently or prior to any wetland fill activity. 2. The Declaration of Restrictions and Covenants for Replacement Wetlands, the Affidavit of Landowner(s), and the Consent to Replacement Wetland shall be properly filed and recorded prior to any wetland fill activity (See Use Restriction forms enclosed). 3. The permittee shall submit a monitoring report on the

Continued on reverse-

replacement wetland to RCWD which includes the information specified in Minnesota Rules 8420.0630 each year for five years. 4. Permittee is required to take the original signed and notarized easement document to the County Recorder's Office, have the document officially recorded, and provide District Office with proof of that recording. The original document should be forwarded to the municipality after recording is completed. No cash surety refund will be made until official proof of recording is provided.

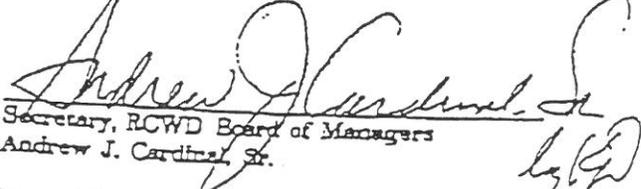
It is the responsibility of the Permittee to provide all measures necessary to contain sediment on the site during construction. This may require the use of erosion control measures not outlined on the erosion control plan. If this requirement is not met, the Permittee may be ordered to provide additional erosion control measures if deemed necessary by the District Inspector. It is also the responsibility of the property owner to provide necessary maintenance to assure that the stormwater management systems approved as part of this Permit will continue to function as originally designed.

NOTE FOR PROVIDERS OF A CASH SURETY: Two (2) inspections of the project site are included with this Permit, one after erosion control measures are in place and one after project completion, revegetation, and silt fence removal, and will be conducted to assure compliance with all agreements, terms, and stipulations of this Permit. Failure to comply with the foregoing may result in forfeiture of your cash surety, rescission of the Permit, and is in violation of Chapter 112.89 MSA, a misdemeanor. Please notify the District Office in writing when project is complete and permanent vegetative cover has been established and a final inspection will be made. Any additional inspection, requested or required, will be billed at \$25/visit.

This document is not transferable, and is valid for eighteen months after the date of issuance. No construction is authorized beyond the expiration date of September 20, 1998. If Permittee requires more time to complete construction, a renewal of the Permit will be necessary.

Please contact RCWD at 433-0634 when the project is about to commence so an inspector may view the work in progress. By acceptance of this Permit, Permittee has consented to the foregoing. The enclosed Owner's Certification form must be completed and forwarded within ten (10) days of project completion.


President, RCWD Board of Managers
Eugene L. Peterson


Secretary, RCWD Board of Managers
Andrew J. Cardinal, Sr.

Date of Issuance: February 20, 1997

jak



Town Board Meeting April 1, 2019

Agenda Number: 7C – Public Hearing

Subject: **Conditional Use Permit & Variance Request @ 5508 West Bald Eagle Boulevard** – Consider Granting a Right-of-Way & Lakeshore Variance & a Conditional Use Permit to Allow a Guest Cottage

Documentation: Staff Memo w/ attachments / Public Notice / Resident Letter / Mailing List / Affidavit of Publication / Conditional Use Permit Application / Variance Application Form

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

Discussion

Minutes
Planning Commission meeting
February 28, 2019

NATHAN LANDUCCI, 5508 WEST BALD EAGLE BOULEVARD — Request for the following Variances: 17' Right-of-Way Setback Variance; 46.5' Lakeshore Setback Variance; 11.3' Height Variance; .5' Side Setback Variance; 15.1% Green Area Variance: Landucci summarized the proposal to tear down the existing garage and replace it with a new two-story structure. The existing garage is 26' x 24'. The new garage is proposed to be 26' x 26' with an upper level 778 square feet in area which includes a stairway and balcony.

Charles Hildebrandt owns the house at 5505 West Bald Eagle Boulevard which includes the Landucci garage which serves Bald Eagle Island. The perpetual easement was signed in 1988, which gives the owner of Bald Eagle Island the right to use and build a garage on the West Bald Eagle Boulevard lot. Landucci explained that he has been working with Hildebrandt to correctly define the easement area

as it is “currently not described correctly.” Hildebrandt wrote an email to the Planner about his concerns with Landucci’s wishes to rebuild the garage and add a loft on top.

Landucci’s proposal is designed to complement the island house. Landucci explained an updated garage would beautify the landscape, whereas Hildebrandt explained in his email that adding another floor to the garage would block his view of the landscape.

The Variance Board had recommended the Planning Commission review the proposal including the modifications discussed at the Variance Board meeting on February 20, without a Variance Board recommendation. The Variance Board requested Landucci eliminate a side setback variance and staff review the green area variance. Staff noted that since the garage is connected to the 5505 West Bald Eagle Boulevard property, the green area should be calculated using that property. Staff calculated the hard surface and found that the impervious area is proposed to be less than 25%.

The addition is considered a guest cottage defined by the Zoning Ordinance on Landucci’s easement. There are requirements to the ordinance such as it cannot be rented out, has to be hooked up to sewer and water, cannot exceed 700 square feet, cannot be more than 15’ tall, among others.

The Planning Commission discussed the standards set forth by the Zoning Ordinance which must be met in order to approve a conditional use permit and a guest cottage. The Planning Commission consensus was that the guest cottage will not meet the standards set forth by the Zoning Ordinance to approve.

Artner moved to deny the Conditional Use Permit for the garage with a guest cottage as the easement which permits the garage does not allow for a guest cottage. Kotilinek seconded. Ayes all.

Artner motioned to approve the 19.3’ Right-of-Way Setback Variance for use of the garage reconstruction. Kotilinek seconded. Ayes all. Artner motioned to approve the 42.8’ Lakeshore Setback Variance for the garage reconstruction. Flann seconded. Ayes all. Artner motioned to deny the 11.3’ Height Variance. Swisher seconded. Ayes all.

Minutes
Variance Board Meeting
February 20, 2019

NATHAN LANDUCCI, 5508 WEST BALD EAGLE BOULEVARD – Request for the Following Variances: 17’ Right-of-Way Setback Variance; 46.5’ Lakeshore Setback Variance; 11.3’ Height Variance; .5 Side Setback Variance; 15.1% Green Area Variance: Landucci summarized the proposal to tear down the existing garage and replace it with a new two story structure. The existing garage is 26’ x 24’. The new garage is proposed to be 26’ x 26’ with an upper level 886 square feet in area which includes a stairway and balcony.

The garage is proposed to be:

- 3.5’ from the lakeshore (elevation 913’) requiring a 46.5’ variance;
 - 5.5’ side setback requiring a .5’ side setback variance;
 - 18’ right-of-way setback requiring a 17’ right-of-way setback variance;
 - 11.3’ height variance;
- A green area variance was also discussed.

Landucci explained that the garage lot is owned by Mr. Hildebrandt who owns the house at 5505 West Bald Eagle Boulevard. A perpetual easement was signed in 1988 which gives the owner of Bald Eagle Island the right to use and build a garage on the West Bald Eagle Boulevard lot. Mr. Landucci has

been working with Mr. Hildebrandt to correctly define the easement area as it is currently not described correctly.

Landucci also noted that the plans have changed to show the stairway located within the garage and the addition of the balcony plus the relocation of the garage so it is 5' further from the West Bald Eagle Boulevard right-of-way.

He noted that the exterior of the garage is proposed to compliment the island house.

There was discussion regarding the history of this request which began in 2017 but was withdrawn by the applicant.

Denn noted he thought Mr. Landucci was working on a plan to eliminate dormers and downsize the upper area of the garage. Denn recalled that the refuge area was considered as an alternative to the guest cottage since a guest cottage could not meet Zoning Ordinance requirements.

Denn noted that a side setback variance could be eliminated if the garage were to be shifted half a foot. There was also discussion regarding the shifting of the garage closer to the lake and further from the right-of-way. Denn felt that the lakeshore setback should be increased.

Landucci agreed to modify the plan as recommended by Denn. Denn also felt that the building should be scaled down and the balcony should be eliminated.

There was discussion regarding a Zoning Ordinance amendment which could be adopted to address Mr. Landucci's garage plan.

Denn noted he would not support a Zoning Ordinance amendment.

Denn requested staff review the green area on the Hildebrandt property since the proposed garage is actually on the Hildebrandt property. (Staff calculated the green area of the Hildebrandt property with the Landucci garage. As proposed the green area would exceed 75%.)

Christopherson moved to recommend to the Planning Commission to review the proposal including the modifications discussed to the Planning Commission without a Variance Board recommendation. Denn seconded. Ayes Christopherson. Nay Denn.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: FEBRUARY 15, 2019

SUBJECT: GARAGE RECONSTRUCTION

REQUESTS: 20.8' RIGHT-OF-WAY SETBACK VARIANCE
42.8' LAKESHORE SETBACK VARIANCE
11.3' HEIGHT VARIANCE

LOCATION: 5508 WEST BALD EAGLE BOULEVARD
ZONING: R-1, SUBURBAN RESIDENTIAL
APPLICANT: NATHAN LANDUCCI

Mr. Landucci is requesting Town approval of setback variances and Conditional Use Permit which would allow demolition of the existing garage and replacement of a new 2 story garage located on West Bald Eagle Boulevard. The existing garage has a footprint of 26' wide by 24' deep. The garage footprint is proposed to be expanded to 26' wide by 26' deep. The garage is proposed to have a second story with a refuge area. The refuge area proposes open space with a utility area and bathroom fixtures including a toilet, sink and shower. The height of the garage is 21'3", as measured to the average of the highest gable.

The Variance Board met with Mr. Landucci in November of 2018 and requested that he consider eliminating the kitchen and reducing the size of the living area in what was proposed as a guest cottage. The Variance Board did not feel that the property qualifies for a guest cottage per the Zoning Ordinance requirements. The refuge area was discussed and it was agreed that without kitchen facilities, the second story area is not considered a guest cottage.

The garage is located on a 2,613 square foot lot on West Bald Eagle Boulevard. The garage serves 1 Bald Eagle Island and is the only structure, other than the driveway, located on the lot. The existing garage is a single story. The new garage is proposed to be demolished and replaced in approximately the same location with the 2 story garage. The lot is 41.5' wide and subject to the following setbacks:

- 50' lakeshore setback
- 6.00' side setbacks
- 35' right-of-way setback
- 10' maximum height for a lakeshore accessory structure

Mr. Landucci is requesting the following setbacks:

- A 7.2' lakeshore setback - requiring a 42.8' variance
- A 6' side setback. No variance necessary
- A 8.2' side setback – no variance required
- A 14.2' right-of-way setback requiring a 20.8' variance
- An 11.3' height variance

The garage is proposed to have a 26' x 26' footprint or 676 square feet in area. The upper portion of the garage is proposed to be 886 square feet in area. A 4' balcony is proposed on the lake side of the garage. Twenty-five percent maximum coverage is permitted on the lot. The lot is 2,613 square feet in area. The garage is proposed to cover 25.9% of the lot. The driveway covers another 390 square feet of the lot. If the island is included in the square footage of the property, the 25% impervious area maximum is not exceeded when including the garage lot. However, after contacting Ramsey County Property Records & Revenue Department it was found that due to the distance between the island and the garage lot, the two cannot be combined for tax purposes. The Variance Board reviewed the proposal and recommends that Mr. Landucci attach the properties using deed restrictions on both lots (requiring that they remain together). Without this lot combination, the coverage on the garage lot is proposed to be 40.1% requiring a 15.1% green area variance.

After review by the Variance Board and further review by staff, it was determined that the garage lot is in the ownership of 5505 West Bald Eagle Boulevard. A perpetual easement is used to allow owners of the island to use and improve the property. Staff calculated the green area for 5505 West Bald Eagle Boulevard and added the island garage. The lot coverage is less than 25% which is the maximum coverage permitted in the Shoreland Management Zone.

It must be noted that the garage lot area was purchased from the property at 5505 West Bald Eagle Boulevard. The use of this property had some limitations on it. They include:

- The easement may be used by the Van Brunts, their heirs and assigns, their families, and guests for all riparian rights including, but not limited to the following: Construction and maintenance of a garage and driveway, said garage of a dimension not to exceed 26 feet by 26 feet; installation and use of a dock for boating and swimming; storage of dock sections, boats and other water crafts; landscaping and gardening; parking of motor vehicles.
- The easement conveyed herein shall be perpetual, and it shall be appurtenant to and run with Parcel 2, as above described. Nothing herein shall constitute a dedication of any interest in the easement to the public or give any members of the public any rights hereunder.

- Should any portion of the easement area be taken by eminent domain, the Van Brunts, their heirs and assigns, shall receive the entire compensation for loss of use or said easement area.
- The Van Brunts, as owners of Parcel 2, and their heirs and assigns, shall be solely responsible for the maintenance of the easement. For purposes of valuation for real property taxation and for special assessments for local improvements, the easement shall be considered as appurtenance to Parcel 2, as above described.

Section 9-6.4 of the Zoning Ordinance sets the standards which must be met in order to approve a variance. It states:

- (1). Without issuance of a variance, the provisions of this Ordinance would deprive the applicant of a reasonable use of property under the terms of this Ordinance.
- (2). That the special conditions and circumstances do not result from the actions of the applicant.
- (3). That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- (4). That the proposed action will not unreasonably increase the congestion on public streets.
- (5). That the proposed action will not increase the danger of fire or endanger the public safety.
- (6). That the proposed action will not unreasonably diminish or impair established property values within the neighborhood or in any other way be contrary to the intent of this Ordinance.

In addition to the variances being requested, Mr. Landucci is requesting approval of a Conditional Use Permit which would allow the second level of the garage to be used as a refuge area. Previous review of the Landucci proposal included a request for a guest cottage which is permitted in the R-1 residential zoning district. A guest cottage must meet the following requirements in order for Conditional Use Permit approval. They include:

- The residential lot in a sewerred area must be at least 24,000 square feet in area.

The lot where the garage/guest cottage is proposed is 2,613 square feet in area. The island is 2.33 acres. The Hildebrandt property including the garage lot is 23,522 square feet in area.

- The structure design, building materials and color shall be compatible with the principal structure and surrounding land uses.

The garage is proposed to be consistent with the home on the island.

- The structure shall not be used for rental purposes.

No rental of the guest cottage/refuge area is planned.

- A guest cottage must pay one service (sewer & water) for each utility serving the property.

A Metro sewer availability charge (SAC) and local sewer availability charge and water availability charge (WAC) must be paid in addition to the Utility Connection Fee as the property was not assessed in the past. These fees will amount to \$25,425.00.

- A guest cottage shall not cover more than 700 square feet of land and shall not exceed 15' in height.

The footprint is proposed to be 676 square feet in area. The area of the guest cottage/refuge area is proposed to be 886 square feet in area. The height is proposed to be 21'3".

- A guest cottage in the Shoreland Management District must be designed to reduce its visibility as viewed from the lake (Bald Eagle).

The refuge area is proposed to be used in the event of poor weather, which would limit access to the island. There are no plans to rent the living quarters, which would not be allowed or to utilize the building for living purposes, full time.

Based on the size of the lot and the height of the garage, the proposed structure does not qualify as a guest cottage.

A total of 3 variances are being requested in addition to the Conditional Use Permit for the refuge area. At the two previous Variance Board meetings, the Variance Board discussed ordinance amendments which may be preferred to approving the requested variances. Options considered include:

1. Rezone the garage lot from R-1 to BEI so it is consistent with the island zoning. Specific requirements allowing a guest cottage/refuge area would have to be adopted to accommodate the guest cottage/ refuge area.

2. Amend the height requirements of the guest cottage section of the ordinance allowing structure height up to 21 feet (15' maximum height is currently permitted). In the alternative, allow a lakeshore accessory structure to be 21.3' high. The current for a lakeshore accessory structure is 10'.

If the Zoning Ordinance is amended to accommodate the Landucci proposal as defined above, a right-of-way setback variance, and lakeshore setback variance must also be approved for the new structure.

Conditional Use Permit:

A guest cottage meeting Zoning Ordinance requirements is permitted in the R-1 Zoning District. Since the structure is proposed to be 6' taller than is permitted by the ordinance, and 186 square feet larger, the building must be reduced in height and size or height and square footage variances must be approved by the Town. In the alternative, the Zoning Ordinance may be amended. If the Conditional Use Permit is recommended for approval, it must be subject to approval of the requested variances and payment of a utility connection fee and payment of SAC, WAC and local SAC fees.

If the Town feels that the request as proposed does not qualify as a "guest cottage", then the structure will be considered a lakeshore accessory structure. No Conditional Use Permit is required for a lakeshore accessory structure. Approval of variances will be required however.

Variances:

The following variances are requested:

- A 6' 3" guest cottage/refuge area height variance or 11.3' lakeshore accessory structure height variance
- A 42.8' lakeshore setback variance
- A 20.8' right-of-way setback variance

Guest cottages are limited to 15' in height. If this were a two story garage, no height variance would be required providing that the garage does not exceed 25' in height. Lakeshore accessory structures are limited to 10' in height, however. Since the garage is located on a lakeshore, it is considered a lakeshore accessory structure. Height variances are unprecedented in the Town, for the past 25 plus years. Previously when an applicant wanted to exceed height requirements, the Zoning Ordinance was amended rather than approval of a height variance. Zoning Ordinance amendments to exceed height requirements were approved for Schwing America and Cortec Corporation, both businesses. No height variances have been requested in a residential zone recently.

Lakeshore Setback Variance:

A 50' lakeshore setback variance is required as measured to the 100 year high water elevation, which is 913' for Bald Eagle Lake. A 7.2' lakeshore setback is proposed. Since the maximum depth of the lot is less than 70', either a lakeshore or right-of-way setback variance must be approved, or both to allow any structure on the lot.

Right-of-Way Setback Variance:

A 35 right-of-way setback is required. An 14.2' setback is proposed. A 20.8' variance must be approved.

Side Setback:

A ½' side setback variance was originally requested. Based on Variance Board review, the setback was modified and now will meet side setback requirements.

The following are recommendations for the Variance Board to consider:

1. Approve:

- A 20.8' right-of-way setback variance
- A 42.8' lakeshore setback variance
- A 11.3' height variance

2. Approve an amendment to Section 7-9.7(d) as follows:

A guest cottage shall not cover more than 700 square feet of land surface and shall not exceed 15' 21'.3" in height.

In addition Section 7-9.7 or Ordinance No. 35 should also be amended reducing the minimum lot size permitted from 24,000 square feet to 2,613 (2,500) square feet unless deed restrictions are provided. If recommended for approval, the following variances must still be approved:

- 17' right-of-way setback variance
- 46'.5" lakeshore setback variance

3. Rezone the garage lot from R-1 to BEI Zoning. Set the following BEI zoning requirements:

Minimum right-of-way setback requirement	=	14.2'
Minimum lakeshore setback requirement	=	7.2'

4. Deny the variances as requested since as requested they do not meet the standards set forth by the Zoning Ordinance to approve.
5. Deny the Conditional Use Permit request for the guest cottage since the lot is 2,613 square feet in area not meeting the 24,000 square foot minimum lot size, the proposed building exceeds the square footage and height requirements permitted by Section 7-9.7(d) of the Zoning Ordinance.
6. Approve the Conditional Use Permit as requested, subject to approval of the variances as requested or in the alternative, the Zoning Ordinance amendments as discussed.

TR/psw
cc:admin/add.file
b:landuccigarage19

SITE PLAN

FOR: Landucci Homes

PROJECT LOCATION:
1 BALD EAGLE ISLAND
PID#103022110042

PROPOSED BUILDING ELEVATIONS
HOUSE TYPE = SLAB ON GRADE
GARAGE FLOOR = 914.9

PROPOSED LEGEND

- DENOTES OFFSET HUB
- x 915.0 DENOTES EXISTING ELEV.
- x 914.9 DENOTES PROPOSED ELEV.
- DIRECTION OF PROP. SURFACE DRAINAGE
- 930 PROPOSED CONTOURS
- 930 EXISTING CONTOURS
- 930 EXISTING ELEVATIONS
- 930 EXISTING CONTOURS

EROSION CONTROL MEASURES

- SF DENOTES SILT FENCE

NOTE: SEE OTHER SHEETS FOR EASEMENT SKETCH AND DESCRIPTION AND LOCATION SURVEY PREPARED BY CORNERSTONE LAND SURVEYING, INC FOR THIS PROJECT.



CERTIFICATION

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.

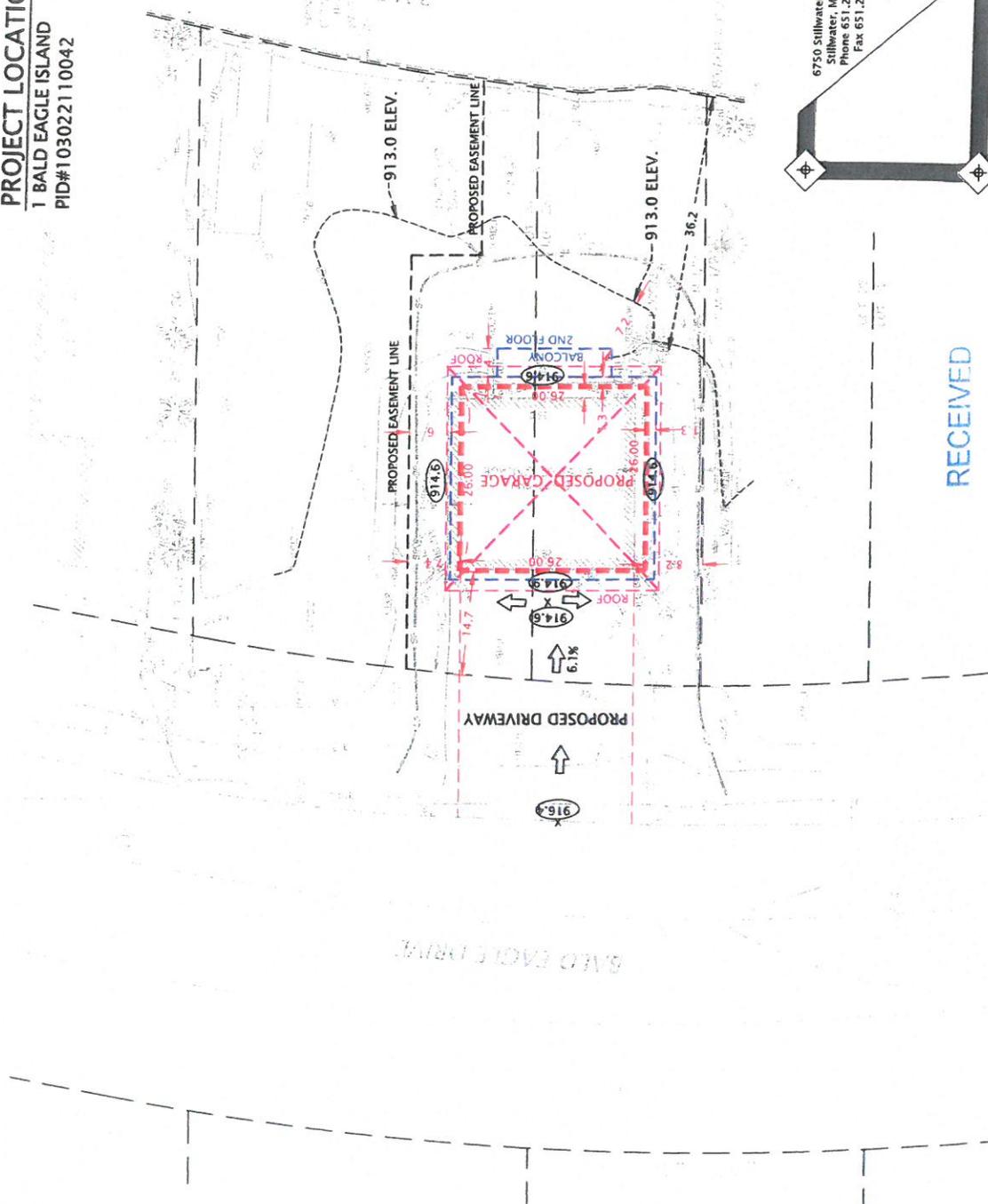
Daniel L. Thurm
DANIEL L. THURM

License No. 23718 Date: 2-16-18
Project: LA018004

RECEIVED

FEB 20 2018

TOWN OF WHITE BEAR

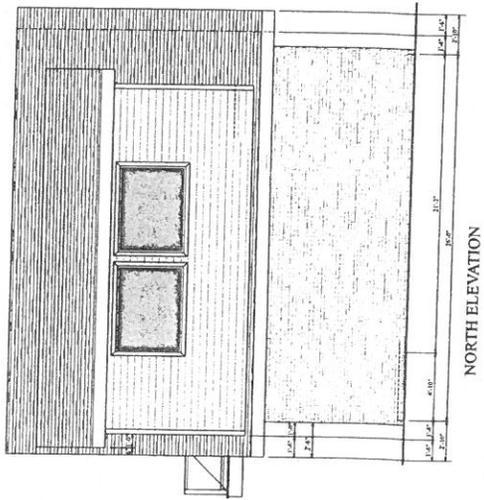
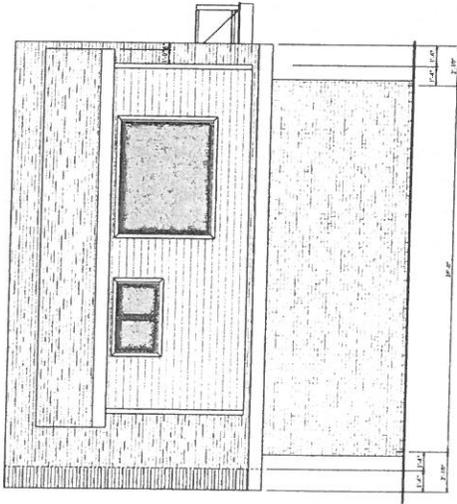
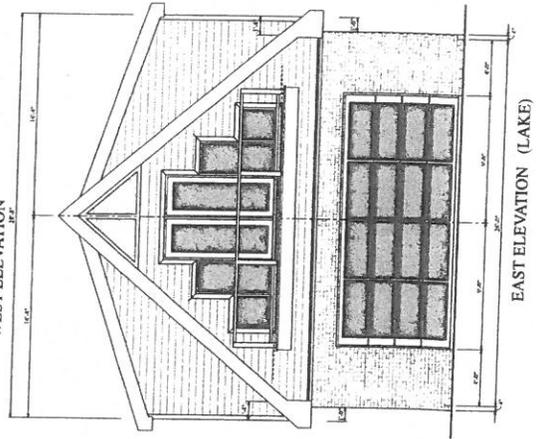
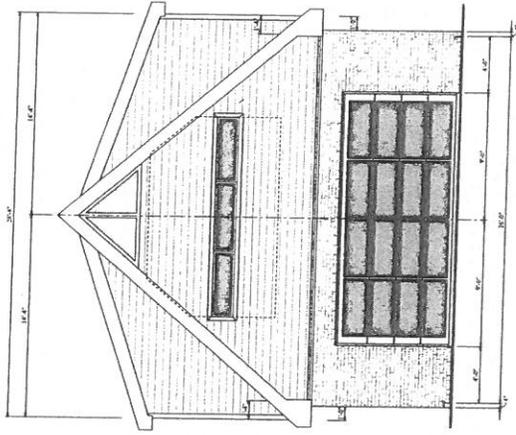


Suite #1
6750 Stillwater Blvd. N.
Stillwater, MN 55082
Phone 651.275.8969
Fax 651.275.8976
dane@csurvey.net



CORNERSTONE
LAND SURVEYING, INC.

Received
2/12/19
m



LOCATION SURVEY

FOR: Landucci Homes

EXISTING LEGAL DESCRIPTION

Certificate of Title Number 337209
Charles H. Hildebrandt, owner

The North 1/2 of Lot 23, Victoria Addition to Bald Eagle;
Lot 24, Victoria Addition to Bald Eagle;
That part of Lot 25, Victoria Addition to Bald Eagle lying
Westerly of present road known as Bald Eagle Blvd West;
all in Ramsey County, Minnesota.

NOTE: only the portion of the above described property
lying easterly of Bald Eagle Drive is shown.

LEGEND:

- FOUND MONUMENT
- SET 1/2" IRON PIPE MARKED BLS NO. 25718
- ▣ CABLE TV FEEDSTAL
- ▢ ELECTRIC FEEDSTAL
- ▧ ELECTRIC TRANSFORMER
- GUY WIRE
- POWER POLE
- ▣ TELEPHONE FEEDSTAL
- ▢ FLARED END SECTION
- STORM MANHOLE
- OVERHEAD UTILITY
- ▣ BITUMINOUS SURFACE



NORTH



NOTE: SEE OTHER SHEETS
FOR EASEMENT SKETCH
AND DESCRIPTION AND
SITE PLAN PREPARED BY
CORNERSTONE LAND
SURVEYING, INC FOR THIS
PROJECT.

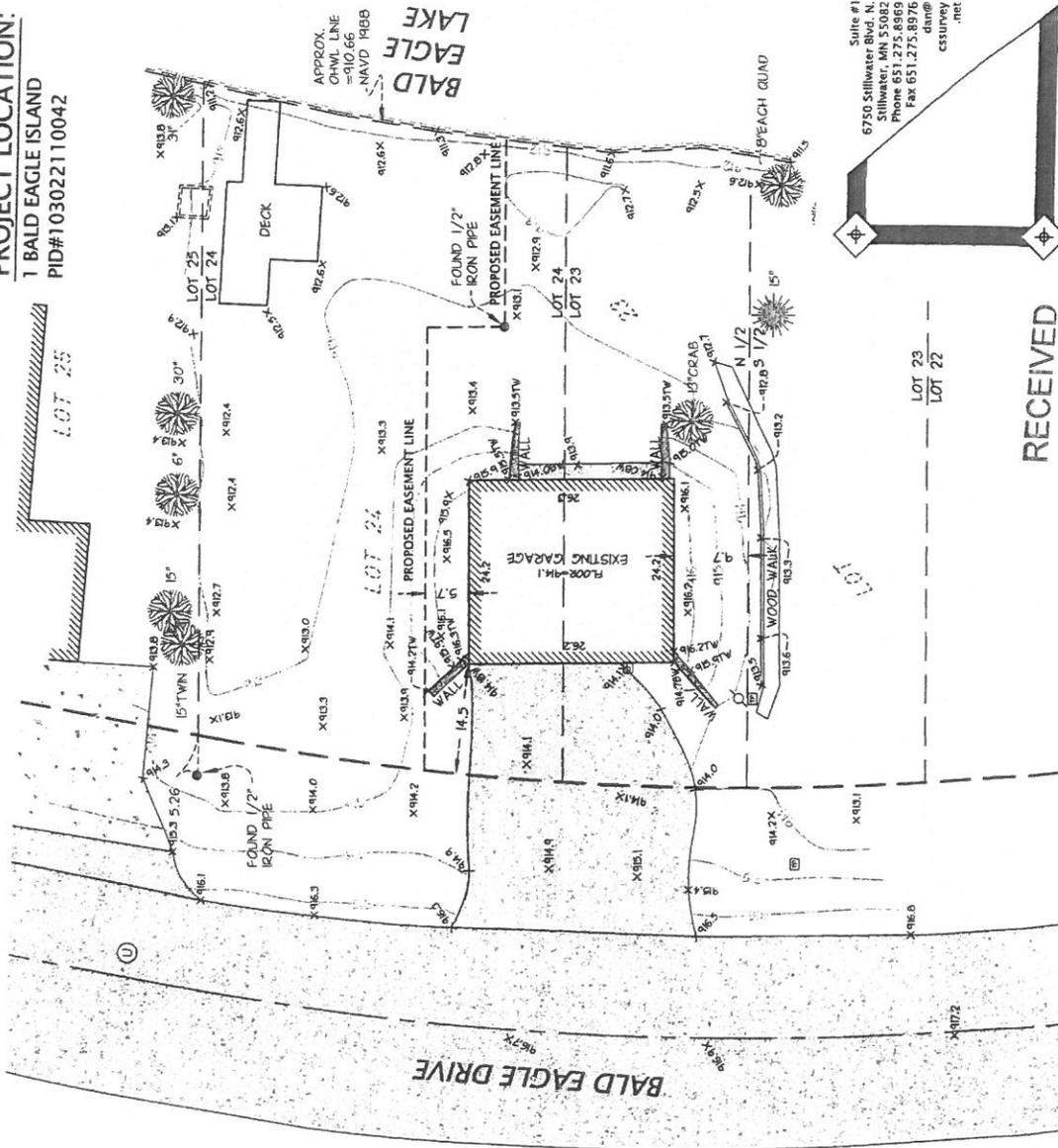
CERTIFICATION

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.

Daniel L. Thurmes

DANIEL L. THURMES
License No. 25718
Date: 4-11-18
Project: LAD18004

PROJECT LOCATION:
1 BALD EAGLE ISLAND
PID# 103022110042



EASEMENT SKETCH

FOR: Landucci Homes

NOTE: SEE OTHER SHEETS FOR LOCATION SURVEY AND SITE PLAN PREPARED BY CORNERSTONE LAND SURVEYING, INC FOR THIS PROJECT.

EXISTING EASEMENT DESCRIPTION

(INGRESS AND EGRESS EASEMENT PER DOC. 871734)

A perpetual easement over and across that part of the North half of Lot 23 and all of Lot 24, Victoria Addition to Bald Eagle, Ramsey County, Minnesota described as follows: Commencing at the Meander Post No. 12 on the North line of Government Lot 1, Section 10, Township 30 North, Range 22 West of the 4th Principal Meridian; thence Easterly 12.21 feet along said North line; thence southerly, deflecting to the right 95 degrees 17 minutes 09 seconds, a distance of 214.19 feet to the South line of said North half of Lot 23, said point being the beginning of the easement to be described; thence Northerly 41.35 feet along the last described line to a point on a line 30 feet South of and parallel with the North line of said Lot 24; thence Easterly, parallel with the North line of said Lot 24, a distance of 48 feet; thence Southerly at right angles to the last described line a distance of 10 feet; thence Easterly parallel with the North line of said Lot 24 to the shoreline of Bald Eagle Lake; thence Southerly along said shoreline to the south line of the North half of said Lot 23; thence Westerly along said South line to the point of beginning and there terminating.

REVISED EASEMENT DESCRIPTION

(TO REPLACE INGRESS AND EGRESS EASEMENT PER DOC. NO. 871734)

A perpetual easement over and across that part of the North Half of Lot 23 and all of Lot 24, VICTORIA ADDITION TO BALD EAGLE, Ramsey County, Minnesota which lies southerly of the following described line and its easterly and westerly projections and which lies easterly of the easterly right of way line of Bald Eagle Drive:

COMMENCING at the North Quarter corner of Section 10, Township 30, Range 22; thence on an assumed bearing of North 89 degrees 20 minutes 36 seconds East along the north line of the Northeast Quarter and the north line of Government Lot 1 and its easterly extension a distance of 2,475.15 feet; thence South 00 degrees 39 minutes 25 seconds East a distance of 182.07 feet to a point hereinafter referred to as "Point A"; thence North 89 degrees 21 minutes 24 seconds East a distance of 25 feet more or less to the shoreline of Bald Eagle Lake and the POINT OF BEGINNING; thence South 89 degrees 21 minutes 24 seconds West along last described line a distance of 25 feet more or less to the aforementioned "Point A"; thence North 00 degrees 39 minutes 25 seconds West a distance of 10.00 feet; thence South 89 degrees 20 minutes 35 seconds West a distance of 58 feet more or less to the easterly right of way line of Bald Eagle Drive and said line there terminating.

CERTIFICATION

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.

Daniel L. Thurmes

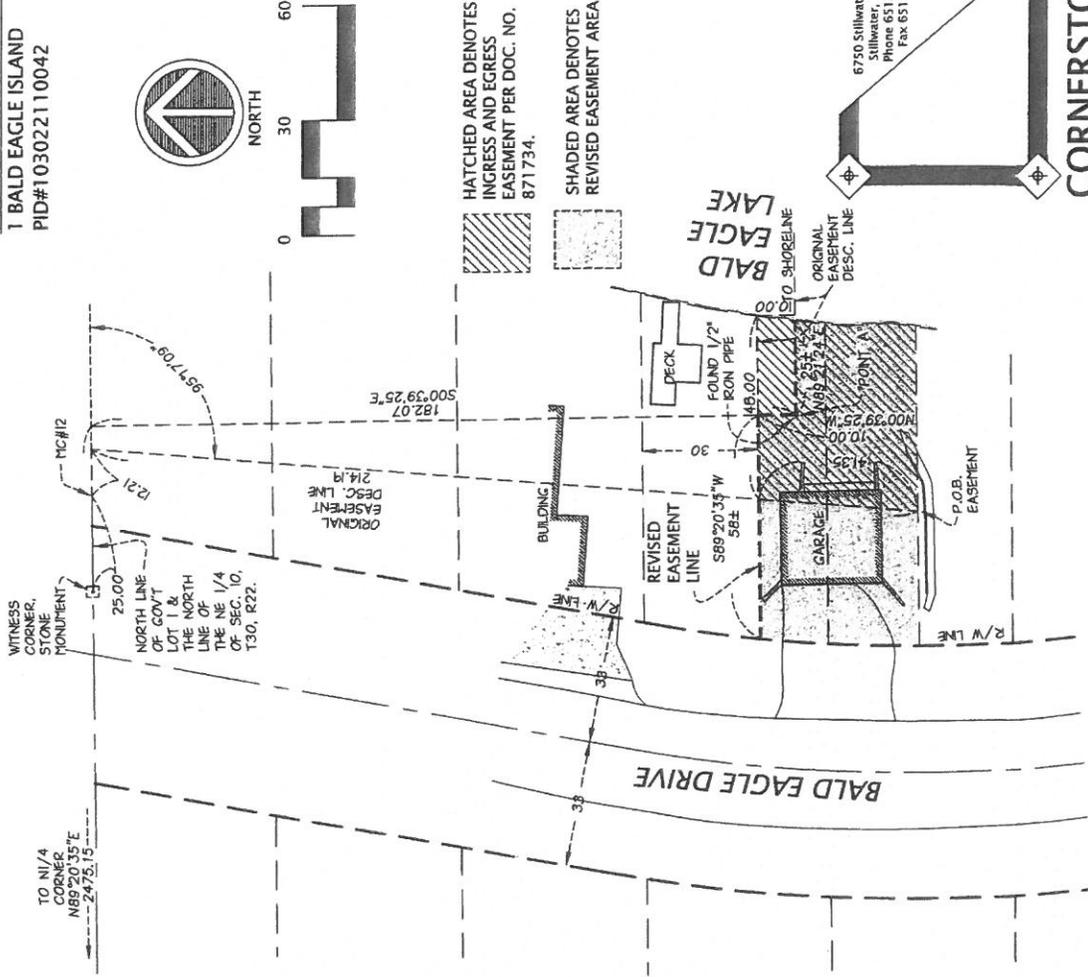
DANIEL L. THURMES
License No. 25718

Date: 4-11-18
Project: LAD18004

NOTES:

1. VARIOUS ITEMS APPEAR TO BE IN ERROR WITH THE ORIGINAL EASEMENT DESCRIPTION. CONSULT AN ATTORNEY TO RECTIFY THE MATTER.
2. THE UNDERLYING PARCEL THAT THE EASEMENT OCCUPIES IS TORRENS TITLE.

PROJECT LOCATION:
1 BALD EAGLE ISLAND
PID#103022110042



HATCHED AREA DENOTES
INGRESS AND EGRESS
EASEMENT PER DOC. NO.
871734.

SHADED AREA DENOTES
REVISED EASEMENT AREA

Suite #1
6750 Stillwater Blvd. N.
Stillwater, MN 55082
Phone 651.275.8969
Fax 651.275.8976
Land Surveying
CORNERSTONE
INC.

CORNERSTONE
LAND SURVEYING, INC.



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, April 1, 2019, at 7:00 p.m. to consider the following requests:

- 20.8' Right-of-Way Setback Variance
- 42.8' Lakeshore Setback Variance
- Conditional Use Permit Request for a Guest Cottage

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

That part lying easterly of Bald Eagle Boulevard West of the following described line: Except the North 25 feet; Lot 24, and the North ½ of Lot 23.

(5508 West Bald Eagle Boulevard)

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

Given under my hand this 4th day of March, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

March 21, 2019

Township Resident
White Bear Township, Minnesota

**Re: Conditional Use Permit Request & Variance Request
Garage at 5508 West Bald Eagle Boulevard**

Dear Resident

Enclosed please find a **Public Notice** regarding the request for a right-of-way setback variance, lakeshore setback variance, and a Conditional Use Permit which would allow demolition of the existing garage and construction of a new two story garage at 5508 West Bald Eagle Boulevard. The garage serves Bald Eagle island.

In accordance with Town Ordinances, a Public Hearing must be held on the matter. Therefore, a Public Hearing has been scheduled for **Monday, April 1, 2019 @ 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 phone, letter or email at tom.riedesel@whitebeartownship.org.

Sincerely,

Patti Walstad
Paralegal

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



recycled paper

Parcel ID: 033022440010

WILLIAM R REED, CHARLOTTE M REED
5552 BALD EAGLE BLVD W
WHITE BEAR LAKE MN 55110-6412

Parcel ID: 033022440011

HELEN J BALLER TRUSTEE
5550 BALD EAGLE BLVD W
WHITE BEAR LAKE MN 55110-6412

Parcel ID: 033022440012

HELEN G JAGGER TRUSTEE
5538 W BALD EAGLE BLVD
SAINT PAUL MN 55110-6412

Parcel ID: 033022440013

PATRICK G CHURCHILL, KATHARINE L CHURCHILL
5530 BALD EAGLE BLVD W
WHITE BEAR TOWN MN 55110-6412

Parcel ID: 033022440015

RAMSEY COUNTY PARKS AND REC
2015 VAN DYKE ST N
SAINT PAUL MN 55109-3711

Parcel ID: 103022110041

CHARLES H HILDEBRANDT
5505 BALD EAGLE BLVD W
WHITE BEAR TOWNSHIP MN 55110-6438

Parcel ID: 033022440014

MICHAEL L HANNAN TRUSTEE, MINA C INGERSOLL TRUSTEE
5522 BALD EAGLE BLVD W
WHITE BEAR TOWNSHIP MN 55110-6412

Parcel ID: 103022110045

JAMIE BUSKIRK
5510 BALD EAGLE BLVD W
WHITE BEAR TOWNSHIP MN 55110-6412

Parcel ID: 103022110042

NATHAN LANDUCCI
1 BALD EAGLE ISLAND
WHITE BEAR TOWNSHIP MN 55110-6529

CITY OF GRANT

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN: That the City Council of the City of Grant, Washington County, Minnesota shall hold a public hearing on the 2nd day of April at 7:00 pm at the Town Hall located on Kimbro Avenue. The purpose of the hearing is to consider an amendment to Chapter 28 Streets, Sidewalks and Other Public Places to incorporate aesthetic standards and incorporate other procedural standards related to Small Cell Wireless facilities to comply with recent FCC rulings.

Kim Points, Administrator/Clerk, City of Grant, Minnesota
Published one time in the White Bear Press on March 20, 2019.

CITY OF MAHTOMEDI WASHINGTON COUNTY, MINNESOTA NOTICE OF PUBLIC IMPROVEMENT HEARING 2019 STREET IMPROVEMENT PROJECT

TO WHOM IT MAY CONCERN:

NOTICE IS hereby given that the City Council of the City of Mahtomedi will hold a public hearing and meet in the City Council Chambers at 600 Stillwater Road, Mahtomedi, Minnesota, at 7:00 p.m. on Tuesday, April 2, 2019 to consider the making of the following improvements in the 2019 Public Improvement Program. The scope of the improvements will be discussed and decided at the public hearing.

2019 STREET IMPROVEMENT PROJECT

This project includes street rehabilitation, watermain, and sanitary sewer improvements along the following streets:

- Birchwood Road

This project includes street rehabilitation and storm sewer improvements along the following streets:

- Lost Lake Court

ESTIMATED COST OF PROJECT - \$1,072,000. The estimated cost includes construction and overhead costs for the project. The overhead costs include funds for administration, legal, fiscal, engineering design, geotechnical exploration, preparation of plans and specifications, easement acquisition, field surveying, and inspection. The overhead costs are estimated at 28% of the construction cost. Given the scope of the project, a 10% contingency has been included. The estimated unit prices for construction costs are based on actual bid tabulations from recent local projects of similar scope. The project cost estimates reflect the estimated construction cost, which includes contractor costs for labor, equipment and materials. Estimated costs include all utility improvement costs associated with street reconstruction.

The area proposed to be specially assessed is generally described as properties abutting or with direct access to streets within the project area. The properties proposed to be specially assessed are more particularly described in the project feasibility study by address and/or by using Washington County property tax parcel identification information.

The project is proposed to be specially assessed against tax parcels abutting or with direct access to said improvements. The area, described above, will be subject to special assessment of the project costs pursuant to Minnesota Statutes, Chapter 429. The City's Consulting Engineer will be present to describe the physical and financial impact of the proposed project as described in the project feasibility study and proposed plans and specifications. Persons desiring to be heard with reference to the proposed improvements will be heard at said time and place of the public hearing. Written or oral objections will be considered at the public hearing.

The City's assessment policy is on file with the City Clerk. The City's assessment policy is immediately available for public inspection by contacting the City Clerk Jerene Rogers at City Hall, 600 Stillwater Road, Mahtomedi, Minnesota 55115, or by telephone at 651-426-3344.

The City's project feasibility study will be on file with the City Clerk on or before the date of the hearing and said feasibility study will be available for public inspection by contacting the City Clerk Jerene Rogers at City Hall, 600 Stillwater Road, Mahtomedi, Minnesota 55115, or by telephone at 651-426-3344.

The feasibility study includes the estimated cost of the improvement as recommended, a reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels. Any updates on estimated assessment amounts will be available at the hearing together with the assessment methodology. A reasonable estimate of the total amount to be assessed and a description of the methodology used to calculate individual assessments for all affected parcels will be available at the hearing.

Jerene Rogers, City Clerk

Published two times in the White Bear Press on March 13 and 20, 2019.

CITY OF MAHTOMEDI

NOTICE OF ASSESSMENT

Notice is hereby given that the Board of Appeal and Equalization of the City of Mahtomedi in Washington County, Minnesota, shall meet at the Mahtomedi City Hall, 600 Stillwater Road, on Wednesday, April 10, 2019, from 5-6 PM, for the purpose of reviewing and correcting the assessment of said real estate for the year 2019.

All persons considering themselves aggrieved by said assessment, or who wish to complain that the property of another is assessed too low, are hereby notified to appear at said meeting, and show cause for having such assessment corrected.

No complaint that another person is assessed too low will be acted upon until the person so assessed, or his agent, shall have been notified of such complaint. Jerene Rogers, City Clerk

Published one time in the White Bear Press on March 20, 2019.

CITY OF VADNAIS HEIGHTS, MN

ADVERTISEMENT FOR BIDS

2019 STREET IMPROVEMENTS

CITY PROJECT NO. 2019-1

SEH NO. VADNA 149559

Notice is hereby given that sealed Bids will be received by the City of Vadna Heights until 1:30 p.m. (local time), Thursday, April 4, 2019, at the Vadna Heights City Hall located at 800 East County Road E., Vadna Heights, MN 55127, at which time they will be publicly opened and read aloud, for the furnishing of all labor and material for the construction of 2019 Street Improvements. Major quantities for the Work include:

Est. Qty	Unit	Item
12,700	SY	Pulverize Bituminous Pavement
44	RD STA	Aggregate Base Preparation
1,600	LF	Remove & Replace Concrete Curb and Gutter
2,800	TON	Bituminous Mixture
30	EACH	Salvage and Install CB/M Casting
3	EACH	Construct Drainage Structure (27" & 48") & Casting
40	LF	12" - 18" RCP
11	EACH	Replace Bolts and Box on Water Main Valve
3	EACH	Add 6-inch Gate Valve and Box to Hydrant Lead
3	EACH	Remove & Replace Hydrant and Lead to Main & add 6-inch Gate Valve & Box
1,300	SY	Hydroseeding

Bids shall be on the form provided for that purpose and according to the Bidding Requirements prepared by Short Elliott Hendrickson Inc. (SEH) dated March 5, 2019.

The Issuing Office for the Bidding Documents is: Short Elliott Hendrickson Inc., 3535 Vadna Center Drive, St. Paul, MN 55110, Scott Haupt, PE, 651-490-2055, shaupt@sehinc.com

The Bidding Documents may be viewed for no cost at <http://www.sehinc.com> by selecting the Project Bid Information link at the bottom of the page and the View Plans option from the menu at the top of the selected project page.

Digital image copies of the Bidding Documents are available at <http://www.sehinc.com> for a fee of \$30. These documents may be downloaded by selecting this project from the PROJECT BID INFORMATION link and by entering eBidDoc# Number 6149730 on the SEARCH PROJECTS page. For assis-

tance and free membership registration, contact QuestCDN at 952.233.1632 or info@questcdn.com.

Paper copies of the Bidding Documents may be obtained from DocuNet Corp. located at 2435 Xenium Lane North, Plymouth, MN 55441 (763.475.9600) for a fee of \$80.00.

Bid security in the amount of 5 percent of the Bid must accompany each Bid in accordance with the Instructions to Bidders.

A Contractor responding to these Bidding Documents must submit to the City/Owner a signed statement under oath by an owner or officer verifying compliance with each of the minimum criteria in Minnesota Statutes, section 16C.285, subdivision 3.

Bids shall be directed to the City Clerk, securely sealed and endorsed upon the outside wrapper, "BID FOR 2019 STREET IMPROVEMENTS, CITY PROJECT NUMBER 2019-1."

The City reserves the right to reject any and all Bids, to waive irregularities and informalities therein and to award the Contract in the best interests of the City.

Jesse Farrell, Public Works Director/City Engineer
Vadna Heights, Minnesota

Published two times in the Vadna Heights Press on March 13 and 20, 2019.

CITY OF WHITE BEAR LAKE, MINNESOTA

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON THE APPROVAL OF A HOUSING PROGRAM FOR A MULTIFAMILY HOUSING DEVELOPMENT AND THE ISSUANCE OF REVENUE BONDS UNDER MINNESOTA STATUTES, CHAPTER 462C, AS AMENDED

NOTICE IS HEREBY GIVEN that the City Council of the City of White Bear Lake, Minnesota (the "City") will hold a public hearing on Tuesday, April 9, 2019, at or after 7:00 p.m. at City Hall, located at 4701 Highway 61 in the City, to consider a proposal that the City approve and authorize the issuance of its revenue bonds, in one or more series, as taxable or tax-exempt obligations (the "Bonds") and the adoption of a housing program (the "Housing Program"), pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Act"), for the purposes of (i) financing the acquisition, rehabilitation, and equipping of an approximately 55-unit existing multifamily rental housing facility located at 3525 Century Avenue in the City (the "Project"); (ii) funding any required reserve funds; (iii) financing capitalized interest during the construction of the Project; and (iv) paying the costs of issuing the Bonds. Century Hills Partners, a Minnesota limited partnership or any of its affiliates or partners (collectively, the "Borrower"), will own the Project. The aggregate principal amount of the proposed Bonds is estimated not to exceed \$6,000,000.

Following the public hearing, the City Council will consider a resolution approving a Housing Program prepared in accordance with the requirements of the Act and granting approval to the issuance of the Bonds.

The Bonds will be special, limited obligations of the City, and the Bonds and interest thereon will be payable solely from the revenues and assets pledged to the payment thereof. No holder of any Bond will have the right to compel any exercise of the taxing power of the City to pay the Bonds or the interest thereon, nor to enforce payment against any property of the City except money payable by the Borrower to the City and pledged to the payment of the Bonds. Before issuing the Bonds, the City will enter into an agreement with the Borrower, whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on the Bonds when due.

At the time and place fixed for the public hearing, the City Council will give all persons who appear at the hearing an opportunity to express their views with respect to the proposal. In addition, interested persons may direct any questions or file written comments respecting the proposal with the City Manager, at or prior to said public hearing.

Dated: March 20, 2019

/s/ Kara Country, City Clerk

City of White Bear Lake, Minnesota

Published one time in the White Bear Press on March 20, 2019.

RAMSEY COUNTY, MINNESOTA

PUBLIC NOTICE

SOLICITATION OPPORTUNITIES

Ramsey County releases solicitation opportunities on DemandStar its official web site as an alternative method of public notice pursuant to Section 331A.03 of the Minnesota Statutes. Individuals may go to the DemandStar section of the Ramsey County Purchasing Webpage www.co.ramsey.mn.us/ba/procure.htm to access registration information.

SOLICITATION: RFP-PRK13840-KR

OPENING DATE: MARCH 28, 2019

PROJECT DESCRIPTION: RAMSEY COUNTY, THROUGH THE PARKS & RECREATION DEPARTMENT, SEEKS DESIGN BUILD SERVICES FOR THE VADNAIS SPORTS CENTER TURF FACILITY PROJECT.

SOLICITATION: RFB-UBW22752-KB

OPENING DATE: APRIL 04, 2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS TO ESTABLISH A CONTRACT FOR REMOVAL OF EXISTING PAVEMENT MARKINGS AND INSTALLATION OF NEW PAVEMENT MARKINGS ON AN AS NEEDED BASIS FOR SURFACE APPLIED MARKINGS AND GROUND-IN MARKINGS.

SOLICITATION: RFB-PH555-16759-KB

OPENING DATE: 04/04/2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS A CONTRACTOR TO PROVIDE YARD WASTE SITE WORK AT TWO COUNTY YARD WASTE SITES: MIDWAY AND SUMMIT HILL. BIDS ARE BEING TAKEN FOR A PER TON RATE FOR COMBINED TRANSPORTATION AND DISPOSAL OF YARD WASTE AND PER HOUR RATE FOR SITE WORK (PUSHING UP PILES, ETC.).

SOLICITATION: RFB-PH555-16747-KB

OPENING DATE: 04/04/2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS A CONTRACTOR FOR THE PROCESSING AND REMOVAL OF TREE AND SHRUB WASTE FROM FOUR COUNTY YARD WASTE SITES ON A PERIODIC BASIS. TWO OF THE SITES ARE LOCATED IN SAINT PAUL AND TWO ARE LOCATED IN NORTHERN SUBURBS. CONTRACTORS MUST BE ABLE TO MOBILIZE AND OPERATE EQUIPMENT NEEDED TO GRIND/CHIP TREE AND SHRUB WASTE AND REMOVE THE PROCESSED MATERIAL FROM THE SITES.

SOLICITATION: RFP-RCNH5465-KB

OPENING DATE: APRIL 04, 2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS PROPOSALS FROM QUALIFIED FIRMS TO PROVIDE TRANSPORTATION FOR CLINICALLY STABLE RESIDENTS, STAFF AND EQUIPMENT ON AN AS NEEDED BASIS AND DURING EMERGENCY SITUATIONS.

SOLICITATION: RFB-PRMG18555-KR

OPENING DATE: APRIL 11, 2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS QUALIFIED CONTRACTORS TO PROVIDE JANITORIAL SERVICES FOR VARIOUS RAMSEY COUNTY FACILITIES FOR USE BY MULTIPLE RAMSEY COUNTY DEPARTMENTS.

PRE-SOLICITATION RESPONSE CONFERENCE: RAMSEY COUNTY ROSEVILLE LIBRARY, 2180 HAMLIN AVE N, ROSEVILLE, MN 55113, MARCH 28, 2019. 1:00 P.M. CST.

SOLICITATION: RFB-PRMG18666-KR

OPENING DATE: APRIL 11, 2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS A MECHANICAL CONTRACTOR TO CONVERT THE EXISTING STEAM WATER HEATERS TO GAS-FIRED WATER HEATERS, AND REPLACE EXISTING STEAM BOILERS WITH NEW BOILERS AT THE RAMSEY COUNTY CORRECTIONAL FACILITY.

PRE-SOLICITATION RESPONSE CONFERENCE: RAMSEY COUNTY CORRECTIONAL FACILITY LOCATED AT 297 SOUTH CENTURY AVENUE,

SAINT PAUL, MN 55119. MARCH 29, 2019. 10:00 A.M. CST.

SOLICITATION: RFB-SHRF12732-KR

OPENING DATE: MAY 16, 2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS QUALIFIED CONTRACTORS TO SUBMIT BID RESPONSES FOR THE UPGRADES OF THE SECURITY SYSTEMS AT THE RAMSEY COUNTY ADULT DETENTION CENTER AND LAW ENFORCEMENT CENTER LOCATED AT 425 GROVE STREET, SAINT PAUL, MN 55101.

PRE-SOLICITATION RESPONSE CONFERENCE: LAW ENFORCEMENT CENTER: 425 GROVE STREET, SAINT PAUL, MN 55101, TRAINING ROOM A (SECOND FLOOR), APRIL 8, 2019. 10:30 A.M. CST.

SOLICITATION: RFB-PRMG18887-KR

OPENING DATE: APRIL 25, 2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS MULTIPLE FIRMS TO FURNISH ALL LABOR, MATERIAL, EQUIPMENT, TRANSPORTATION, AND OTHER SERVICES NECESSARY FOR UNARMED UNIFORMED SECURITY AND MOBILE PATROL SERVICES FOR VARIOUS COUNTY FACILITIES LOCATED WITHIN THE RAMSEY COUNTY GEOGRAPHIC AREA.

PRE-SOLICITATION RESPONSE CONFERENCE: RAMSEY COUNTY METRO SQUARE FACILITY, 121 7TH PLACE EAST, ST PAUL, MN 55101, CONFERENCE ROOM LL04. APRIL 04, 2019. 1:00 P.M. CST.

SOLICITATION: RFB-PUBW22860-KB

OPENING DATE: 04/11/2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS A CONTRACTOR TO PROVIDE ALL LABOR AND EQUIPMENT NECESSARY TO MILL AND RECLAIM BITUMINOUS PAVEMENT WITHIN RAMSEY COUNTY.

SOLICITATION: RFB-PUBW22862-KB

OPENING DATE: 04/11/2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS BITUMINOUS MATERIALS FOR 2019 PAVING AND PATCHING PROJECTS. ALL MATERIALS WILL BE HAULED AND PLACED BY RAMSEY COUNTY PUBLIC WORKS MAINTENANCE STAFF.

SOLICITATION: RFB-PH555-16563-KB

OPENING DATE: 04/11/2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS A CONTRACTOR TO REMOVE, RECYCLE AND DISPOSE OF MATTRESSES FROM COUNTY FACILITIES AND COUNTY DIRECTED PROJECTS.

SOLICITATION: RFB-PUBW22841-KB

OPENING DATE: 04/18/2019

PROJECT DESCRIPTION: RAMSEY COUNTY SEEKS A QUALIFIED CONTRACTOR TO PERFORM CONSTRUCTION OF CONCRETE SIDEWALK, CONCRETE CURB AND GUTTER, TRUNCATED DOMES, ACCESSIBLE PEDESTRIAN SYSTEMS, SITE RESTORATION AND TRAFFIC CONTROL.

Published one time in the Vadna Heights Press on March 20, 2019.



WHITE BEAR TOWNSHIP

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, April 1, 2019 @ 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:

5331 West 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 23rd day of January, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer

Published two times in the White Bear Press on March 13 and 20, 2019.



WHITE BEAR TOWNSHIP

NOTICE OF HEARING ON REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW AN ENTRYWAY EXPANSION 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, April 1, 2019, at 7:00 p.m., to consider the request of the granting of a Conditional Use Permit to allow an entryway expansion in the Town of White Bear, Ramsey County, Minnesota, lying and being in the area described as follows:

Lot 4, Block 2, First Baptist Addition to White Bear Lake, Except the South 240 feet and except the North 955 feet; the West 82.5 feet of the East 330 feet of the Northeast quarter of the Northwest quarter in Section 12, Township 30, Range 22, also the South 240 feet of the East half of the West half of the East 330 feet of the Northeast quarter of the Northwest quarter (subject to Street) in Section 12, Township 30, Range 22.

(Eagle Brook Church, 2401 Buffalo Street)

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

Given number my hand this 4th day of March, 2019.

PATRICK CHRISTOPHERSON, Clerk-Treasurer

Published one time in the White Bear Press on March 20, 2019.



WHITE BEAR TOWNSHIP

PUBLIC HEARING

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, April 1, 2019, at 7:00 p.m. to consider the following requests:

- 20.8' Right-of-Way Setback Variance
- 42.8' Lakeshore Setback Variance
- Conditional Use Permit Request for a Guest Cottage

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

That part lying easterly of Bald Eagle Boulevard West of the following described line: Except the North 25 feet; Lot 24, and the North 1/2 of Lot 23.

(5508 West Bald Eagle Boulevard)

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

Given under my hand this 4th day of March, 2019.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer

Published one time in the White Bear Press on March 20, 2019.



CONDITIONAL USE PERMIT APPLICATION FORM

INTRODUCTION

A Conditional Use Permit may be granted or denied by the Town Board after recommendation by the Planning Commission in accordance with Ordinance No. 35 (Zoning), Section 9-4, Conditional Use Permit Procedure.

APPLICANT(S) Nathan Landucci PHONE (Home) 651-894-2582
(Business) _____
(Cell) 651-894-2582

ADDRESS 1 Bald Eagle Island
WBT, MN

PROPERTY OWNER Nathan Landucci

ADDRESS OF SITE 5508 W. Bald Eagle Blvd, WBT ZONING Res/BET

EXISTING USE OF SITE Garage

DESCRIPTION OF CONDITIONAL USE BEING REQUESTED
Garage w/ bonus → Place of refuge

_____ Fee (\$75.00 plus \$200.00 Expense Deposit)

CHECKLIST:

- _____ Site Plan
- Building locations (dwelling, garage, accessory building).
 - Site improvements (parking areas, drives, sidewalks, fences, decks, lighting, etc.).
 - Yard (front, side, rear setbacks).
 - Wetlands (delineation of streams, water bodies, wetlands & 100 year storm elevation).
 - Existing trees (6 inch in diameter or more), large shrubs & proposed landscaping.
 - Location of site, with adjacent land use.
 - Topography, grading.

- Schedule (when applicant intends to construct) *Spring 2019*
- Additional information, if required.
- Permits or written comments from other agencies (DNR, RCWD, VLAWMO, Ramsey County, MNDot, US Army Corps of Engineers.
- Certificate of Survey, or full legal description
- Building plans (size, intended use of structures, exterior finishes, floor plans and elevations).

REVIEW PROCESS:

1. Submit 15 copies of application and all supporting information to Town Planner (minimum of 3 weeks prior to Planning Commission Meeting).
2. Planning Commission _____ (4th Thursday of the month @ 7:00 p.m. at the Town Hall).
3. Town Board _____ (1st Monday of the following month @ 7:00 p.m. at the Town Hall)
(Call Public Hearing)
4. Town Board _____ Public Hearing
5. Town Board _____
(Action subject to Public Hearing Schedule)

STANDARDS:

The Town Board will approve a Conditional Use Permit only if the following facts are established:

- _____ 1. There will be no detracting from the appearance of adjacent properties, or Town as a whole.
- _____ 2. There will not be aesthetic incompatibility.
- _____ 3. There will not be aural incompatibility (noise).
- _____ 4. There will not be damage to vegetation.
- _____ 5. Traffic patterns will not be negatively affected.
- _____ 6. There is no unnecessary loss of existing natural features.
- _____ 7. Will not cause soil erosion.
- _____ 8. Will not increase flood potential.
- _____ 9. The proposal is consistent with Comprehensive Plan and complies with other Ordinances.

It is the policy of White Bear Township that all identifiable costs associated with Conditional Use Permits 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)

2/7/2019
Date

<u>To Be Completed By Office:</u>	
Date Request Received _____	
By _____ (Staff Member)	\$75.00 Fee + \$200 Deposit Received <input type="checkbox"/> Yes <input type="checkbox"/> No
Date Application Complete _____	



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

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.

_____ Fee \$225

APPLICANT(S) Nathan Landucci PHONE (Home) 651-894-2582
 (Business) _____
 (Cell) 651-894-2582

ADDRESS 1 Bald Eagle Island
WBT, MN

PROPERTY OWNER Nathan Landucci

ADDRESS OF SITE 5500 W. Bald Eagle Blvd, WBT ZONING Res/BEI

EXISTING USE OF SITE Garage

DESCRIPTION OF VARIANCE REQUEST Garage w/ Bonus -> Place of Refuge

SETBACKS:	Required	Existing	Requested
Front Yard	_____	<u>14.5</u>	<u>19.5</u>
Side Yard (L)	_____	<u>5.7</u>	<u>5.7</u>
Side Yard (R)	_____	<u>9.7</u>	<u>9.7</u>
Rear Yard	_____	<u>43.2</u>	<u>36.2</u>
Other (Specify)	_____	_____	_____

CHECKLIST:

- _____ 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.
- _____ 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 1st 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 _____ (4th Thursday of the month @ 7:00 p.m. at the Town Hall).
4. Town Board _____ (3rd Monday of the following month @ 7:00 p.m. at the Town Hall).

STANDARDS:

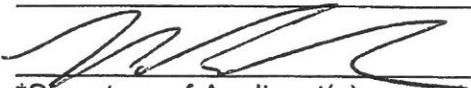
The Town Board will approve a variance only if it satisfies the description in the INTRODUCTION on Page 1 of this form, and the following facts are established:

- _____ 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)

2/7/2019
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 _____

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: 5508 W. Bald Eagle Blvd. I am requesting that the Town of White Bear grant me a variance from Ordinance No. _____, for the following purpose:

Demo and rebuild a Garage w/ place of refuge

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: Nathan Landucci Address: 1 Bald Eagle Island, WBT, MN
Phone: (Home) 651-894-2582
(Bus.) _____
(Cell) 651-894-2582

Comments: _____

Date: 2/7/2019 Signatures: [Signature]

2. Name: _____ Address: _____
Phone: (Home) _____
(Bus.) _____
(Cell) _____

Comments: _____

Date: _____ Signatures: _____ /

3. Name: _____ Address: _____
Phone: (Home) _____
(Bus.) _____
(Cell) _____

Comments: _____

Date: _____ Signatures: _____ /



**Town Board Meeting
April 1, 2019**

Agenda Number: 8A – New Business

Town Planner Item:

Subject: A. Brandlwood Park Upgrades:
1. Approve Specifications
2. Authorize Advertisement for Bids

Documentation: Specifications & Bidder's Proposal / Public Notice

Action / Motion for Consideration:

Town Planner Report at Meeting / Discuss

Based on Staff Review & Recommendation:

- 1) Approve the Specifications
- 2) Authorize Advertisement for Bids Noting the Bid Opening to Take Place on Tuesday, April 16, 2019 @ 1:00 p.m. at the Township Administrative Offices

**Minutes
Park Board Meeting
February 21, 2019**

BRANDLWOOD PARK: Brandlwood Park is on the Town's improvement list for 2019. A budget of \$80,000 was approved by the residents at the Annual Budget Meeting. Funding for the improvements is being transferred from the 2018 General Fund to the 2019 Park Improvement Fund. Improvements to the Bellaire Beach building in 2019 are also included in the transfer. Staff would like to see the following improvements to Brandlwood Park:

- Replace outdated equipment with new equipment recommended by the neighborhood. this equipment includes the spring riders, climbing structure, teeter totter and possibly the swing set. these structures are in the older part of the playground. The newer multi-use structure and climbing boulder should remain.

- Replace the same portion of the playground with engineered wood fiber. Approximate area (including replacing the existing wood fiber) 222 cubic yards. the estimated cost is \$5,400.
- Replace the plastic border with concrete curbing. Estimate cost using current budget= 385' x \$30/lineal foot = \$11,550.00.
- Replace the 3 maple trees in the park. Consider replacing the 7 ash trees also. Figure \$350.00 each for landscape quality trees.
- The in-ground benches should be replaced with new ones mounted on slab. The cost estimated is approximately \$2,000.
- The backhoe could be eliminated or kept. If the backhoe remains, the sand area around the backhoe should remain.

These costs should be deducted from the \$80,000 budgeted for the park upgrade. If all the above are replaced, the remaining budget is approximately \$57,500.

Neighbors of Brandwood were present at the meeting to participate in the open forum, freely discussing what they would like to see in the park. Changes to the itemized list will be made according to the residents' expressed interest. Riedesel gave out three park equipment catalogues to a couple neighbors to look through and return to the Township office. Neighbors from four properties near the park gave their input. The Considines from 5788 Meadowview Drive expressed their concerns with removing all of the trees because they do like to look at them. There have been problems with bikes near driveways, cars parked along the streets in front of these neighbors' homes. A bike corral and 'no parking' signs will be considered by the staff.

Residents Allison Knuth from 5824 Meadowview Drive, Cara Cardoso and Elizabeth Bradshaw from 5667 and 5725 Windmill Drive respectively gave input based on what their kids like and what their concerns are as parents. Putting more benches in for picnic areas, a slab of concrete for basketball and other activities, and a zipline were some items from these three residents.

The staff will research these and any other ideas submitted by residents by the meeting in March.



WHITE BEAR TOWNSHIP
MINNESOTA

SPECIFICATIONS AND BIDDER'S PROPOSAL

FOR

BRANDLWOOD PARK UPGRADES

WITHIN THE

WHITE BEAR TOWNSHIP, MINNESOTA

2019

PUBLIC OPENING OF THIS BID
will take place at the Town Administrative Office
1281 Hammond Road
White Bear Township, MN 55110

ON

April 16, 2019

AT 1:00 PM LOCAL TIME

BIDDER'S NAME: _____

ADDRESS: _____



WHITE BEAR TOWNSHIP
1281 Hammond Road
White Bear Township, MN 55110
Phone: 651.747.2750
Fax: 651.426.2258
www.ci.whitetownship.org

Invitation to Bid For Brandlwood Park Upgrades

White Bear Township, 1281 Hammond Road, White Bear Township, Minnesota 55110, will receive sealed bids for upgrades to Brandlwood Park until 1:00 p.m. local time on Tuesday, April 16, 2019, at which time and place they will be publicly opened and read aloud.

Project Description:

The project consists of:

- Remove & dispose of the existing borders (both the sand & fiber areas), & approximately 4,600 square feet of sand within the playground, engineered wood fiber to be reused;
- Remove & dispose of the following existing play structures: teeter totter, the multi-use structure within the sand playground, backhoe, & two benches;
- Install concrete curbing around the perimeter of the new playground – define quantity & price per foot, standing 8” x 12”;
- Provide & install 250 cubic yards engineered wood fiber;
- Provide & install playground equipment;
 - All playground structures must fit within the existing playground area (except zip line)
 - 2 benches will be installed outside of the playground area
 - The following playground components have been identified by the neighborhood as a preference:
 - Zip line
 - Poured in place rubber surfacing under the swings on a concrete base
 - Multi-use structure serving 2-12 year olds using a wide variety of equipment.
 - Climbing/multi-use with tall slides, climbing bars, above grade tunnels, hanging/climbing/chin-up bars
 - ArchClimber (such as the Nucleus Evolution Arch Climber from Burke (pg. 109 of the 2019 Burke catalog (or similar)
 - Spiral slide(s)

- A Rope Venture structure (pg. 1430 of the 2019 Burke catalog (or similar)
- Stand & Spin (pg. 166 of the Little Tykes 2019 catalog)
- Themed climbing structure like a bus or fire truck
- The existing climbing boulder, swing set, & multi-use structure within the engineered wood fiber area will remain and be incorporated into the new playground. Provide a 5' wide concrete ramp into the playground;
- Remove & re-use the existing spring riders;
- Provide & install a bike rack on a concrete slab approximately 4' x 8' x 4" deep;
- Provide & install teeter totter;
- Provide & install two surface mount benches (6' U LEG bench with back with 3" tubular steel legs & one piece 11 gauge perforated steel seat & back with thermoplastic coating & predrilled holes in the base plate for permanent mounting) as shown in Kay Park Recreation Catalog, or similar, on 4' x 6' x 5" concrete slabs – slabs must be provided;
- **Alternate # 1**
 - Provide 4" thick concrete basketball pad, 30' x 30' in size;
 - Provide & install new basketball post, fiberglass backboard, rim & net;
- **Alternate # 2**
 - Provide & install a 12' x 12' aluminum or steel shelter on a 4" concrete base including post footings to support structural posts on the shelter. Depth of footings must meet Building Code requirements
- **Alternate # 3**
 - Sand volleyball court with net & standards

Rough Grading:

- Finish subgrade disturbed areas to +/- 0.1 foot.
- Finish grading & seeding.

Instructions to Applicant:

1. The bidder may use any or all equipment suppliers provided they are commercial grade and specifications of the equipment are provided.
2. As an alternate to the traditional playground multi-use structure described above, the bidder is encouraged to propose, provide & install a themed playground utilizing Themed Concepts components or similar.
3. The proposal shall not exceed a total cost of \$70,000.00 installed.
4. The selected proposal must be completed prior to October 1, 2019.



WHITE BEAR TOWNSHIP
1281 Hammond Road
White Bear Township, MN 55110

BIDS DUE: 1:00 P.M., April 16, 2019

LEGAL NOTICE--BIDS WANTED

Notice is hereby given that sealed bids will be received, publicly opened, and read aloud by representatives of the Town of White Bear, Minnesota, at the Town Administrative Offices, 1281 Hammond Road, White Bear Township, Minnesota 55110, in said Township at 1:00 p.m., on Tuesday, April 16, 2019, for furnishing all work and materials for:

Brandlwood Park Upgrades

Unless otherwise specifically indicated under the item description of the legal advertisement, all bids shall be subject to the following:

No bids shall be withdrawn for a period of thirty-five (35) days after opening of bids. The Town reserves the right to reject any or all bids, to waive technicalities, and award bid in the best interest of the Town.

Bidding documents, including proposal forms, specifications, plans, etc., may be obtained from:

Mailed
Administrative Offices
WHITE BEAR TOWNSHIP
1281 Hammond Road
White Bear Township, MN 55110

Pick-up
Administrative Offices
WHITE BEAR TOWNSHIP
1281 Hammond Road
White Bear Township, MN 55110

Proposals must be placed in a sealed envelope marked "BID WHITE BEAR TOWNSHIP BRANDLWOOD PARK UPGRADES" and addressed to the Town Clerk/Treasurer, White Bear Township, 1281 Hammond Road, White Bear Township, Minnesota 55110.

Bids shall be accompanied by a Bid Security in the form of a cash deposit, a Bid Bond or certified check payable to the White Bear Township in the amount of at least 5% of the Base Bid amount.

Patrick Christopherson, Town Clerk-Treasurer



**Town Board Meeting
April 1, 2019**

Agenda Number: 8B – New Business

Town Engineer Item:

Subject: B. Hammond Road Water Tower Painting:
1. Receive Bids
2. Award Contract

Documentation: Town Engineer Correspondence

Action / Motion for Consideration:

Town Engineer Report at Meeting / Discuss

Based on Town Engineer Review & Recommendation:

- 1) Receive Bids
- 2) Award the Contract to the Lowest Responsible Bidder, M.K. Painting, Inc. for the Base Bid of \$660,700.00
- 3) Authorize the Construction Phase to be Completed by TKDA for an Amount Not to Exceed \$96,800.00

Noting Funding from the Water Operating Fund.



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

March 28, 2019

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

Re: Water Tower Painting – Hammond Road Project
TKDA Project No.17127.004
Summary of Bids

Dear Honorable Chairman and Town Board:

On March 27, 2019, four bids for the referenced project were received. The lowest bid was submitted by M.K. Painting, Inc. Listed below is a summary of bids received, and a complete Tabulation of Bids is enclosed for your information.

<u>Contractor</u>	<u>Base Bid</u>
M.K. Painting, Inc.	\$660,700
Inspec Painting, Inc.	\$669,650
Classic Protective Coatings, Inc.	\$776,150
TMI Coatings, Inc.	\$838,700
Engineer's Estimate	\$855,450

Recommendation

We recommend that you receive all bids submitted and award the Contract to the lowest responsible bidder, M.K. Painting, Inc. for the Base Bid of \$660,700. The substantial completion date to be filled with water, have all the testing accepted and put back into service is August 23, 2019.

Sprint is scheduled to be removed from the tower for work to proceed on schedule.

The project is funded through the Water Operating Fund. The construction phase will be completed by TKDA for an amount not to exceed \$96,800.00. This amount includes coordination with Sprint during the project and reinstallation afterwards. Please contact me with any questions or comments.

Sincerely,

James E. Studenski, PE
Town Engineer

JES:ksb
Enclosure

TABULATION OF BIDS

WATER TOWER PAINTING - HAMMOND ROAD
 WHITE BEAR TOWNSHIP, MINNESOTA
 TKDA PROJECT NO. 17127.004



ITEM NO.	DESCRIPTION	QUANTITY	UNIT	INSPEC COATINGS, INC. UNIT PRICE	INSPEC COATINGS, INC. TOTAL AMOUNT	CLASSIC PROTECTIVE COATINGS, INC. UNIT PRICE	CLASSIC PROTECTIVE COATINGS, INC. TOTAL AMOUNT	TMI COATINGS, INC. UNIT PRICE	TMI COATINGS, INC. TOTAL AMOUNT
1	MOBILIZATION/RESTORATION	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 29,775.00	\$ 29,775.00	\$ 40,000.00	\$ 40,000.00
2	SC-1 - WET INTERIOR PAINTING	11,750	SF	\$ 15.00	\$ 176,250.00	\$ 14.50	\$ 170,375.00	\$ 16.00	\$ 188,000.00
3	SC-2 - DRY INTERIOR PAINTING	7,200	SF	\$ 13.00	\$ 93,600.00	\$ 13.00	\$ 93,600.00	\$ 12.50	\$ 90,000.00
4	SC-3 - EXTERIOR PAINTING	16,500	SF	\$ 22.00	\$ 363,000.00	\$ 22.50	\$ 371,250.00	\$ 23.00	\$ 379,500.00
5	SC-4 - LETTERING AND LOGO	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 9,700.00	\$ 9,700.00	\$ 14,000.00	\$ 14,000.00
6	PIT PIPING PAINTING - HAMMOND ROAD TOWER	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 8,400.00	\$ 8,400.00	\$ 6,000.00	\$ 6,000.00
7	PIT PIPING PAINTING - NE TOWER	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 12,800.00	\$ 12,800.00	\$ 8,000.00	\$ 8,000.00
8	WELDING AND GRINDING	24	HR	\$ 100.00	\$ 2,400.00	\$ 150.00	\$ 3,600.00	\$ 125.00	\$ 3,000.00
9	REPLACE SCREENS	4	EA	\$ 300.00	\$ 1,200.00	\$ 300.00	\$ 1,200.00	\$ 250.00	\$ 1,000.00
10	SEALANT	60	FT	\$ 20.00	\$ 1,200.00	\$ 15.00	\$ 900.00	\$ 20.00	\$ 1,200.00
11	ALTITUDE VALVE	1	EA	\$ 7,000.00	\$ 7,000.00	\$ 32,600.00	\$ 32,600.00	\$ 40,000.00	\$ 40,000.00
12	MUD VALVE	1	EA	\$ 1,500.00	\$ 1,500.00	\$ 4,100.00	\$ 4,100.00	\$ 3,000.00	\$ 3,000.00
13	CAST-IN-PLACE CONCRETE SLAB	30	CY	\$ 200.00	\$ 6,000.00	\$ 450.00	\$ 13,500.00	\$ 1,200.00	\$ 36,000.00
14	CAST-IN-PLACE CONCRETE STAIRS	1	LS	\$ 6,000.00	\$ 6,000.00	\$ 3,950.00	\$ 3,950.00	\$ 9,000.00	\$ 9,000.00
15	FLUSH OVERFLOW PIPING	1	LS	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00
16	REPLACE AERIAL LIGHT	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 4,900.00	\$ 4,900.00	\$ 4,000.00	\$ 4,000.00
17	ENGINEER DIRECTED WORK ALLOWANCE	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
TOTAL BID				\$ 699,650.00	\$ 699,650.00	\$ 776,150.00	\$ 776,150.00	\$ 838,700.00	\$ 838,700.00
ALTERNATES									
1	ALTERNATE NO. 1 - SC-1	11,750	SF	\$ (1.00)	\$ (11,750.00)	\$ 0	\$ 0	\$ 0	\$ 0
2	ALTERNATE NO. 2 - SC-2	7,200	SF	\$ (1.00)	\$ (7,200.00)	\$ 0	\$ 0	\$ 0	\$ 0
3	ALTERNATE NO. 3 - SC-3	16,500	SF	\$ (1.50)	\$ (24,750.00)	\$ 0	\$ 0	\$ (1.20)	\$ (19,800.00)
4	ALTERNATE NO. 4 - SC-4	1	LS	\$ (500.00)	\$ (500.00)	\$ 0	\$ 0	\$ 0	\$ 0
5	ALTERNATE NO. 5 - PIT PIPING PAINTING HAMMOND ROAD	1	LS	\$ (300.00)	\$ (300.00)	\$ 0	\$ 0	\$ 0	\$ 0
6	ALTERNATE NO. 6 - PIT PIPING PAINTING NE TOWER	1	LS	\$ (300.00)	\$ (300.00)	\$ 0	\$ 0	\$ 0	\$ 0

TABULATION OF BIDS
 WATER TOWER PAINTING - HAMMOND ROAD
 WHITE BEAR TOWNSHIP, MINNESOTA
 TKDA PROJECT NO. 17127.004



ITEM NO.	DESCRIPTION	QUANTITY	UNIT	ENGINEER'S ESTIMATE UNIT PRICE	ENGINEER'S ESTIMATE TOTAL AMOUNT	M.K. PAINTING, INC. UNIT PRICE	M.K. PAINTING, INC. TOTAL AMOUNT
1	MOBILIZATION/RESTORATION	1	LS	\$160,000	\$ 160,000.00	\$ 20,000.00	\$ 20,000.00
2	SC-1 - WET INTERIOR PAINTING	11,750	SF	\$16.00	\$ 188,000.00	\$ 10.00	\$ 117,500.00
3	SC-2 - DRY INTERIOR PAINTING	7,200	SF	\$12.00	\$ 86,400.00	\$ 8.00	\$ 57,600.00
4	SC-3 - EXTERIOR PAINTING	16,500	SF	\$18.00	\$ 297,000.00	\$ 21.00	\$ 346,500.00
5	SC-4 - LETTERING AND LOGO	1	LS	\$20,000.00	\$ 20,000.00	\$ 14,000.00	\$ 14,000.00
6	PIT PIPING PAINTING - HAMMOND ROAD TOWER	1	LS	\$5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00
7	PIT PIPING PAINTING - NE TOWER	1	LS	\$7,500.00	\$ 7,500.00	\$ 10,000.00	\$ 10,000.00
8	WELDING AND GRINDING	24	HR	\$150.00	\$ 3,600.00	\$ 250.00	\$ 6,000.00
9	REPLACE SCREENS	4	EA	\$500.00	\$ 2,000.00	\$ 125.00	\$ 500.00
10	SEALANT	60	FT	\$20.00	\$ 1,200.00	\$ 10.00	\$ 600.00
11	ALTITUDE VALVE	1	EA	\$35,000.00	\$ 35,000.00	\$ 21,000.00	\$ 21,000.00
12	MUD VALVE	1	EA	\$1,500.00	\$ 1,500.00	\$ 7,000.00	\$ 7,000.00
13	CAST-IN-PLACE CONCRETE SLAB	1	EA	\$750.00	\$ 750.00	\$ 800.00	\$ 800.00
14	CAST-IN-PLACE CONCRETE STAIRS	30	CY	\$1,500.00	\$ 45,000.00	\$ 4,000.00	\$ 120,000.00
15	FLUSH OVERFLOW PIPING	1	LS	\$5,000.00	\$ 5,000.00	\$ 1,000.00	\$ 1,000.00
16	REPLACE AERIAL LIGHT	1	EA	\$5,000.00	\$ 5,000.00	\$ 6,000.00	\$ 6,000.00
17	ENGINEER DIRECTED WORK ALLOWANCE	1	LS	\$15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
TOTAL BID				\$	\$ 856,200.00	\$	\$ 660,700.00
ALTERNATES							
1	ALTERNATE NO. 1 - SC-1	11,750	SF			\$ 20.00	\$ 235,000.00
2	ALTERNATE NO. 2 - SC-2	7,200	SF			\$ 16.00	\$ 115,200.00
3	ALTERNATE NO. 3 - SC-3	16,500	SF			\$ 44.00	\$ 726,000.00
4	ALTERNATE NO. 4 - SC-4	1	LS			\$ 28,000.00	\$ 28,000.00
5	ALTERNATE NO. 5 - PIT PIPING PAINTING HAMMOND ROAD	1	LS			\$ 20,000.00	\$ 20,000.00
6	ALTERNATE NO. 6 - PIT PIPING PAINTING NE TOWER	1	LS			\$ 20,000.00	\$ 20,000.00



**Town Board Meeting
April 1, 2019**

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