

**NININGER PLANNING COMMISSION
REGULAR MEETING (#580)
May 1, 2023**

COMMISSION MEMBERS PRESENT: John Bremer, chair; Steve Boetcher; Gary Rotty; Ted Wagner; Mary Dalaska, secretary

TOWNSHIP BOARD MEMBERS IN ATTENDANCE: Karen Bremer

MEETING CALLED TO ORDER by Chair Bremer at 7:54 p.m.

PLEDGE OF ALLEGIANCE RECITED

MINUTES REVIEWED AND APPROVED: Chair Bremer called for review of the minutes from the April 3, 2023, meeting. **Motion:** Gary Rotty made a motion to accept the minutes as presented. Motion seconded by Ted Wagner. **Member vote:** 5 Ayes; 0 Opposed. Motion carried.

PUBLIC COMMENTS/ISSUES/REQUESTS:

1. **Philip Nelson, 15544 Goodwin Avenue, Hastings, MN 55033**, asked for clarification on the ability to build a shed on his property. Chair Bremer informed Mr. Nelson of the maximum 2,000 square foot accessory structure allowance on properties of 3-6 acres and the need to meet required setbacks.

NEW BUSINESS:

1. APPLICATION FOR MINOR LOT SPLIT: On behalf of **Augustine Family Farm, LLC, (%Robert Sieben, 465 Neal Ave N, Stillwater, MN 55082) Joby Nolan of Precision Landscaping, 14923 Jacob Avenue, Hastings, MN 55033**, submitted an Application for Minor Lot Split of Dakota County parcel #300300076010, a 74.86-acre lot currently owned by the LLC. Approval of the application will divide the lot into three sections approximately sized at 12-acres, 20-acres and 40-acres (see attached map). Mr. Nolan informed the Planning Commission that the land survey is not finalized, but will be finished on or about Friday, May 4, 2023, and that Precision Landscaping is interested in purchasing the 12-acre lot for agricultural purposes. The land is currently zoned as Ag-Green Acres. The remaining two lots would be sold separately by the LLC. **Motion:** Gary Rotty made a motion to recommend the Township Board accept and approve the Application for Minor Lot Split, pending a completed survey, at their May 16, 2023, meeting. The motion was seconded by Steve Boetcher. **Member vote:** 5 Ayes; 0 Opposed. Motion carried.
2. PROPOSED ORDINANCE CHANGE – **VAGRANCY AND TRESPASS:** Vagrancy is a growing issue across the country. Nininger Township currently does not have an ordinance banning vagrancy. Adopting a vagrancy and trespass ordinance would help prevent future vagrancy issues, protect private property rights, and assist law enforcement in removing and prosecuting violators. Nininger Township attorney, Mike Hamilton, drafted and submitted proposed content for a vagrancy and trespass ordinance in Nininger Township (attached). **Motion:** Chair Bremer made a motion to recommend the Township Board review the proposed vagrancy and trespass content as written and submitted by Mr. Hamilton and schedule a public hearing to be held in June 2023. Further, the Planning Commission recommends, upon legal approval, the Township Board add the vagrancy and trespass regulations to Nininger Township Ordinance No. 14 under Section 9.2.1. The motion was seconded by Ted Wagner. **Member vote:** 5 Ayes; 0 Opposed. Motion carried.

OLD BUSINESS:

1. DRIVEWAY ACCESS: **Wes Frandrup** contacted Dakota County regarding driveway access onto County Road 46 at Fischer Avenue. The driveway would use the township-owned cartway along the west end of the Frandrup Circle Drive Development to access a land-locked lot within the development. The County is requiring a concrete culvert (4 feet wide, 10 feet wide and 20 feet long) be installed for the driveway and installation be completed by Luhman's Construction Company. Once Dakota County issues the installation permit to Nininger Township, the Township is able to issue a permit to Mr. Frandrup. **Motion:** Chair Bremer made a motion to recommend the Township Board grant Wes Frandrup a permit to install a driveway per County requisites including size, material and installer, at County Road 46 and Fischer Avenue. Motion was seconded by Gary Rotty. **Member vote:** 5 Ayes; 0 Opposed. Motion carried.

MISCELLANEOUS ITEMS OF DISCUSSION/INFORMATION:

- ROAD MAINTENANCE: The weather this winter and spring has caused considerable damage to roads across the township. Maintenance is underway in some areas. Repairs for areas with more significant damage, including long-term solutions for Furlong Drive, are being determined.
- TOWNSHIP BOARD AND PLANNING COMMISSION COMPENSATION: With some changes, the Township Board approved the Planning Commission's recommendation for bringing member compensation more in line with neighboring townships. An increase was recommended for each position along with a means to keep the compensation in line with yearly cost-of-living increases.
- Bea Westerberg received a letter from the Township to remove the items in the ditch adjacent to her driveway.
- Next Township Board meeting is scheduled for Tuesday, May 16, 2023, at 7 p.m.
- Next Planning Commission meeting is scheduled for Monday, June 5, 2023, at 8 p.m.

MEETING ADJOURNED: **Motion:** Gary Rotty motioned to adjourn the meeting. Motion seconded by Ted Wagner. **Member vote:** 5 Ayes; 0 Opposed. Motion carried.
Meeting adjourned at 9:10 p.m.

Respectfully submitted by:
Mary Dalaska, Planning Commission Secretary