



City of Afton

PLANNING COMMISSION AGENDA

October 5, 2015
6:30 pm

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
 - Barbara Ronningen (Chair)
 - Sally Doherty
 - Kitty Kilmer
 - Kris Kopitzke
 - Mark Nelson
 - Judy Seeberger
 - Lucia Wroblewski
 - Scott Patten
 - Jim Langan
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF MINUTES**
 - a. August 31, 2015 Meeting Minutes
6. **REPORTS AND PRESENTATIONS – None**
7. **PUBLIC HEARINGS**
 - a. Elaine Murphy Application for Conditional Use Permit for Grading at the Parcel west of 15824 50th Sreet with PID 27.028.20.43.0001
 - b. Guy Reithmeyer, et.al. Minor Subdivision at 1093 Lake Edith Lane and 1093 Indian Trail S.
 - c. Jessie Wilcox After-the-fact Variance Application at 14725 Afton Boulevard S.
 - d. Gary Maas Minor Subdivision at 15990 32nd Street
8. **NEW BUSINESS**
 - a. Washington County Revised Septic Ordinance (Land Spreading of Septage)
 - b. Burning Permits in the Village Historic Site (VHS) District
 - c. Comprehensive Plan Update - Met Council System Statements
9. **OLD BUSINESS**
 - a. Meeting Start Time Review
 - b. Draft City Council Minutes - Update on City Council Actions
10. **ADJOURN**

This agenda is not exclusive. Other business may be discussed as deemed necessary.

A quorum of the City Council or Other Commissions may be present to receive information.

CITY OF AFTON
DRAFT PLANNING COMMISSION MINUTES
August 31, 2015, 6:30 PM

1
2
3
4
5 1. **CALL TO ORDER** –Chair Barbara Ronningen called the meeting to order at 6:30 p.m.

6
7 2. **PLEDGE OF ALLEGIANCE** – was recited.

8
9 3. **ROLL CALL** – Present:, Nelson, Patten, Kilmer, Seeberger, Kopitzke and Chair Ronningen. **Quorum**
10 present. Wroblewski arrived at 7:06 p.m. Excused Absence: Langan and Doherty.

11
12 **ALSO IN ATTENDANCE** – City Administrator Ron Moorse, Deputy Clerk Kim Swanson Linner and Council
13 Member Liaison Stan Ross.

14
15 4. **APPROVAL OF AGENDA** – Item 7.c., a Public Hearing for Elaine Murphy application was removed
16 from the agenda as it was improperly noticed; it will be re-noticed for the October 5 meeting. Chair Ronningen
17 added two items: Item 8.a. Grading Permits and Item 9.b. Review of the 6:30 p.m. start time for PC meetings.

18
19 **Motion/Second: Kilmer/Patten. To approve the August 31, 2015 Planning Commission agenda as**
20 **amended. Motion carried 6-0-0.**

21
22 5. **APPROVAL OF MINUTES** –

23 a. August 3, 2015 Planning Commission Meeting Minutes –

24 **Motion/Second: Nelson/Kopitzke. To approve the August 3, 2015 Planning Commission Meeting minutes**
25 **as presented. Motion carried 4-0-2 (Abstain: Ronningen and Patten, as they were not in attendance.)**

26
27 6. **REPORTS AND PRESENTATIONS** – none.

28
29 7. **PUBLIC HEARINGS** –

30 a. Traditional Ventures, LLC Application for Conditional Use Permit for Grading at 1987 Manning Avenue
31 and the parcel to the south with PID 18.028.20.22.0002 – Chair Ronningen opened the Public Hearing at 6:35
32 p.m.

33 Administrator Moorse summarized the application from Washington Conservation District initiating water
34 quality improvement projects utilizing grant funds to work with numerous property owners to address erosion
35 issues in order to reduce the amount of sediment that erodes into streams. The project with Traditional Ventures,
36 LLC is to construct a grassed waterway on the property at 1987 Manning Avenue and the parcel to the south to
37 reduce erosion on the farm field. A grass waterway will be planted and an erosion control mat placed over the
38 seed. The project will not change the route or volume of the water. The City Engineer has reviewed the grading
39 plans, and reported the proposed erosion control blanket is adequate. The report also indicates that, if a culvert is
40 installed in the future to provide access across the grassed waterway, the plans for the culvert will need to be
41 reviewed by the City Engineer.

42 Resident Anne Headrick, a neighbor at 12210 22nd St S, asked how the project will affect their property.

43 Kurt Rentschler, 1615 Manning, asked how this might affect the land to the north that is for sale.

44
45 **Motion/Second: Patten/Nelson. To close the public hearing at 6:43 p.m. Motion carried 6-0-0.**

46
47 **Motion/Second: Kopitzke/Ronningen. To recommend approval to the City Council for the Washington**
48 **Conservation District's Conditional Use Permit for an erosion control project for Traditional Ventures,**
49 **LLC at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002, with findings and**
50 **conditions.**

51
52 **Findings**

53 1. WCD and WSB found the project withstands a 10-year precipitation event.

- 54 2. The project will not increase water flow to any adjacent properties.
- 55 3. The project will improve overall water quality to Valley Creek and ultimately to the St. Croix
- 56 River.
- 57

58 **Conditions**

- 59 1. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the
- 60 duration of the permit.
- 61 2. Grading plans shall be reviewed and approved by the City Engineer
- 62 3. City Engineer specifications and recommendations for all work shall be met for the duration of
- 63 the permit.
- 64 4. The grading plan shall be constructed according to plans approved by the City Engineer. Silt
- 65 fences or other types of erosion control shall be properly installed prior to construction; and shall
- 66 be maintained in good condition until the construction is complete.
- 67 5. Non-compliance with the conditions of this permit shall be considered a violation, and may result
- 68 in revocation of this permit.
- 69 6. Compliance with conditions of this permit shall be monitored on a periodic basis.
- 70 7. Construction shall begin within one year of the date of issuance of this permit or the permit shall
- 71 become null and void.
- 72 8. If a culvert is installed in the future to provide access across the grassed waterway, the plans for
- 73 the culvert will need to be reviewed and approved by the City Engineer.
- 74 9. The applicant and property owner will adhere to the operation and maintenance plan dated
- 75 2/2015, and the grassway shall be maintained as such semi-annually for 10 years.
- 76 10. All VBWD conditions shall be met.
- 77 11. Any changes to the project shall be approved by the City of Afton.
- 78

79 **Motion carried 5-1-0 (Nay-Ronningen).**

80
81 b. Grant Weissner and Peter Hill Application for Conditional Use Permit for Grading at 3750 Paradox End
82 Avenue S. and the parcel to the east with PID 22.028.20.31.0005 – Chair Ronningen opened the Public Hearing
83 at 7:05 p.m.

84 Administrator Moorse described the project by the Washington Conservation District proposed for 3750
85 Paradox End Avenue S and the property to the east to catch the large volume of surface water that flows off of
86 the Paradox End cul de sac and onto the property to the east, as well as to manage groundwater that flows
87 through the soil but hits bedrock and comes out into a gully, and to provide a stable flow path downhill for both
88 of these water sources to reduce erosion. Two rock french drain structures are proposed to capture and direct the
89 ground water, check dams to slow the water as it flows downhill, and a turf reinforcement mat to reinforce the
90 vegetation along the waterway. There will be no change in the volume of the water flowing down the waterway.
91 The City Engineer has reviewed the grading plans, and recommended approval with a number of revisions. *
92 WCD representative, James Landini, who prepared the grading plan, has reviewed and responded to the City
93 Engineer's comments. Mr. Landini will discuss these items with the City Engineer and make necessary
94 revisions.

95 There were no public comments.

96
97 **Motion/Second: Patten/Nelson. To close the public hearing at 7:12 p.m. Motion carried 7-0-0.**

98
99 **Motion/Second: Nelson/Seeberger. To recommend approval to the City Council of the Washington**
100 **Conservation District Conditional Use Permit application with Grant Weissner and Peter Hill for grading**
101 **at 3750 Paradox End Avenue S and the parcel to the east with PID 22.028.20.31.0005, with findings and**
102 **conditions.**

105 **Findings**

- 106 1. **Project improves water quality.**
107 2. **WCD and WSB found the project withstands a 10-year precipitation event.**
108

109 **Conditions**

- 110 1. **All appropriate provisions of the Afton Code of Ordinances shall be complied with for the**
111 **duration of the permit.**
112 2. **Grading plans shall be reviewed and approved by the City Engineer**
113 3. **City Engineer specifications and recommendations for all work shall be met for the duration of**
114 **the permit.**
115 4. **The grading plan shall be constructed according to plans approved by the City Engineer. Silt**
116 **fences or other types of erosion control shall be properly installed prior to construction; and shall**
117 **be maintained in good condition until the construction is complete.**
118 5. **Non-compliance with the conditions of this permit shall be considered a violation, and may result**
119 **in revocation of this permit.**
120 6. **Compliance with conditions of this permit shall be monitored on a periodic basis.**
121 7. **Construction shall begin within one year of the date of issuance of this permit or the permit shall**
122 **become null and void.**
123 8. **Installation shall be by design as approved by WCD and the WSB, the City Engineer.**
124 9. **Property owner will comply with Operation & Maintenance items 1-8 prepared by WCD, as may**
125 **be modified by WSB.**
126

127 **Motion carried 7-0-0.**

128
129 c. Elaine Murphy Application for Conditional Use Permit for Grading at the Parcel west of 15824 50th Street
130 with PID 27.028.20.43.0001 – [Deleted from agenda.]
131

132 d. Dan Dickinson Variance Application at 15876 Afton Boulevard S. – Chair Ronningen opened the Public
133 Hearing at 7:22 p.m.

134 Administrator Moorse summarized the request from Dan Dickinson for a variance to the minimum lot size
135 requirement to enable the property at 15876 Afton Boulevard to be approved as a buildable lot so that it can be
136 added to the properties that will be included in the Village sewer system. The minimum lot size requirement is
137 22,500 square feet, which is commonly three historically platted 50 foot by 150 foot parcels (7,500 sq. ft. each)
138 combined to create one parcel. The Dickinson property is two historically platted parcels of 7,500 square feet
139 each, for a total of 15,000 square feet. This property contained a church and parsonage in the past. After the
140 church was decommissioned, the buildings were used at various times as City offices, a County library and a
141 single family dwelling/art studio. The house was moved in 1984 and the church was completely destroyed by a
142 fire in June of 1998. Mr. Dickinson purchased the property in 1999, and applied for a variance to the minimum
143 lot size requirements in 2002. At that time, Molly Shodeen of the DNR indicated that the DNR would not need
144 to certify the lot size variance, as the lots were existing lots of record. While the variance was approved, the
145 variance expired before Mr. Dickinson moved forward with the construction of a house on the property.
146 The site plan shows that a proposed house can meet the setback requirements and topography shows the
147 property does not have steep slopes. The two substandard parcels are proposed to be combined to create one
148 buildable lot. The planned wastewater treatment system has capacity to serve the property. Mr. Dickinson also
149 requested an extension of the expiration period for the variance, so that the timing of construction of a house can
150 be planned to coincide with the availability of sewer service to the property.

151 There were no public comments.
152

153 **Motion/Second: Nelson/Patten. To close the public hearing at 7:25 p.m. Motion carried 7-0-0.**
154

155 It was noted that individual septic systems can account for 3,000 s.f. of site, but even with that consideration,
156 some commissioners felt this lot is very sub-standard in size and wanted further direction from City Council.
157

158
159 **Motion/Second: Seeberger/Kopitzke. To recommend approval to the City Council for the Dan Dickinson**
160 **variance request to accept the two combined historically platted parcels at 15876 Afton Boulevard South**
161 **as a buildable lot with access to the Village sewer system, with findings and conditions.**
162

163 **Findings**

- 164 1. The property can't be put to a reasonable use without a variance.
- 165 2. The parcel was a pre-existing non-conforming lot.
- 166 3. A variance was previously recommended by the Planning Commission and approved by City
167 Council.
- 168 4. The parcel has an existing well and septic system.
- 169 5. The conditions are not by the actions of the owner.
- 170 6. Granting the variance will not give special privilege to the owner.
- 171 7. Granting the variance will not change the essential character of the neighborhood.
- 172 8. It is recognized that this is a very small parcel.

173
174 **Conditions**

- 175 1. The two parcels must be combined into one parcel
- 176 2. The house must meet all setback requirements.
- 177 3. The house must meet impervious coverage requirements
- 178 4. The house plan must comply with the Design Review Committee review and recommendations
- 179 5. The applicant must provide a grading and erosion control plan, and the plan must be approved by
180 the City Engineer
- 181 6. The variance shall extend until one year after the Village sewer system is available to the
182 property.
- 183 7. No building permit shall be issued for the parcel until the city septic is available.

184
185 **Motion carried 7-0-0.**

186
187 e. Lower St. Croix River Bluffland and Shoreland Management Ordinance and Floodway District Ordinance
188 Amendment – Chair Ronningen opened the Public Hearing at 7:56 p.m.

189 Administrator Moore reviewed the changes as discussed at the August 3 Planning Commission meeting
190 and detailed in the memo on the inconsistencies between the Lower St. Croix Bluffland and Shoreland
191 Management Ordinance and the Floodway District Ordinance with the City's regular zoning requirements. It
192 was noted that these items should be corrected to provide clarification and avoid future conflicts.
193

194 Section 12.637. Minimum district dimensional requirements in the St. Croix Bluffland District needs to
195 match Section 12-132. Minimum requirements of impervious coverage in the VHS zoning districts. It will be
196 changed to reflect the "20% or 4,350 s.f., whichever is greater" language.

197 Sec. 12-832. Certification by the commissioner for variances is no longer required; the language will be
198 deleted from the ordinance.

199 Sec. 12-707. Requires updating to reflect uses prohibited in the VHS districts. These uses from the St. Croix
200 Bluffland ordinance will be deleted to eliminate the inconsistency/conflict:

- 201 - Student Housing
- 202 - Institutional and medical housing
- 203 - Multiple family dwellings with central sewer
- 204 - Planned unit developments
- 205 - Townhouses with central sewer

206 Sec. 12-706. Conditionally Permitted Uses. The term “special uses” has been changed to “conditional
207 uses” because the term “special use” is no longer used in the City’s zoning ordinances.

208 Sec. 12-831. Administrative Procedure. Requirements to send variances and CUP applications to the
209 Minnesota/Wisconsin Boundary Area Commission and to city councils within two miles of the affected property
210 are no longer needed. The Minnesota/Wisconsin Boundary Area Commission has been eliminated. Also, the
211 statutory rules regarding administrative procedure do not include notification to neighboring cities. The
212 requirements will therefore be deleted from the ordinance.

213 Sec. 12-707. Item E was amended by Ordinance 02-2012, but the word “Marinas” should have been
214 retained while the portion “upstream from the Boomsite Highway wayside and” was deleted. This language will
215 be corrected.

216 Section 12-1001. A list of permitted uses in the Floodway District included “shooting preserves, target
217 ranges and trap and skeet ranges.” These uses are specifically prohibited in Sec. 12-134 Uses of the City’s
218 zoning code. These uses will be deleted from Section 12-1001.

219 There were no public comments.

220
221 **Motion/Second: Patten/Kopitzke. To close the public hearing at 8:02 p.m. Motion carried 7-0-0.**

222
223 Nelson raised the issue of having a single Ordinary High Water level for the St. Croix River and objected to
224 a recent communication from the DNR which provided 679.5 for permit jurisdiction and 675.0 for setback
225 purposes.

226 Moose agreed and will confirm that with the Department of Natural Resources and WSB engineers.

227 Section 12-831. A. 2. b. “The Planning Commission” was deleted.

228 Minor typos were corrected.

229
230 **Motion/Second: Kopitzke/Wroblewski. To recommend the approval to the City Council of the Lower St.
231 Croix Bluffland and Shoreland Management and Floodway District ordinance amendments as
232 recommended. Motion carried 7-0-0.**

233
234 **8. NEW BUSINESS –**

235 a. Grading Permits [was added to the agenda] – Chair Ronningen noted that Sec. 12-215 on grading says a
236 Conditional Use Permit (CUP) is required. She believed it was an Administrative Permit. Deputy Clerk
237 Swanson Linner confirmed that the CUP was indeed changed and reads “Administrative Permit” in the official
238 Code of Ordinances. The chart in Sec. 1-76 however will have “City Engineer” added to the “Application
239 Approved or Denied By” area for Land Reclamation and Land Grading. The website will be updated when the
240 2015 ordinance amendments have been codified.

241
242 **9. OLD BUSINESS –**

243 a. Draft City Council Minutes - Update on City Council Actions – Chair Ronningen reported that Council
244 adopted the Solar Ordinance and approved the Draft Sewer Ordinance to enable a final ordinance be provided.

245 b. Review 6:30 p.m. meeting start time [was added to the agenda] – Chair Ronningen called for
246 commissioners’ opinions on how the early start time is working, however, Doherty was not in attendance, so the
247 discussion will be placed on the next agenda for discussion.

248
249 **10. ADJOURN –**

250
251 **Motion/Second: Nelson/Patten. To adjourn the meeting at 8:18 p.m. Motion carried 7-0-0.**

252
253 Respectfully submitted by:

254
255
256

257 Kim Swanson Linner, Deputy Clerk

258

259 To be approved on October 5, 2015 as (check one): Presented: _____ or Amended: _____

DRAFT

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: October 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorse, City Administrator
Date: September 24, 2015
Re: Elaine Murphy Application for Grading CUP at the Parcel West of 15824 50th Street with PID # 27.028.20.43.0001

Background

The Washington Conservation District has received grant funding for water quality improvements, and is working with numerous property owners to address erosion issues to reduce the amount of sediment that erodes into streams. Elaine Murphy is working with the Washington Conservation District regarding a proposal to construct a grassed waterway to reduce field erosion at the parcel west of 15824 50th Street with PID # 27.028.20.43.0001. The extent of grading requires a conditional use permit (CUP).

The proposed project involves constructing a grassed waterway on the northern portion of the property (shown in white, outlined in light blue, on the attached plan), to catch and transport surface water to prevent the water from running down an existing waterway and existing rills (gullies) and causing erosion. Using soil from the grading of the grassed waterway, the existing waterway will be filled and the gullies will be filled. Additional fill will also be placed over a shallow natural gas line. The water flowing in the proposed grassed waterway will outlet into a grassy area and make its way through a wooded area to a grass corridor, then on to the St. Croix River. The volume of water that will reach the grass corridor will not increase. The speed at which the water travels should be reduced as it flows through the grassy area and woods vs. flowing down the gullies.

The City Engineer has reviewed the grading plans. While the City Engineer had concerns about possible erosion as the water flows through the wooded area, a review of the wooded area indicated the area has a substantial amount of grass which will help to prevent erosion in the wooded area. The City Engineer also recommended a level spreader be installed at the outlet of the northern grassy waterway to spread the flow of water as it leaves the waterway and flows into the grassy area prior to entering the woods. James Landini, of the Washington Conservation District, has added the level spreader to the project plans.

Involvement of Downstream Property Owner

The Washington Conservation District has met with the adjacent property owner downstream of the project to discuss the project and to ask if the property owner had interest in an erosion control project on their property. The property owner has indicated an interest in discussing a project on their property.

Findings

The Planning Commission's recommendation should include findings that are the basis of the recommendation.

Conditions

If the Planning Commission recommends approval of the conditional use permit, it is recommended that the following conditions be placed on the permit approval.

1. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the duration of the permit.
2. Grading plans shall be reviewed and approved by the City Engineer
3. Any changes to the project shall be approved by the City of Afton.
4. City Engineer specifications and recommendations for all work shall be met for the duration of the permit.
5. The grading plan shall be constructed according to plans approved by the City Engineer. Silt fences or other types of erosion control shall be properly installed prior to construction; and shall be maintained in good condition until the construction is complete.
6. Non-compliance with the conditions of this permit shall be considered a violation, and may result in revocation of this permit.
7. The property owner will adhere to the operation and maintenance plan dated July, 2015, and the grassway shall be maintained as such for 10 years.
8. The operation of the proposed grassy waterway will be monitored on a periodic basis, particularly in relation to erosion in the wooded area. If erosion is occurring, remedial action will be taken to address and prevent the erosion.
9. Compliance with conditions of this permit shall be monitored on a periodic basis.
10. Construction shall begin within one year of the date of issuance of this permit or the permit shall become null and void.

Planning Commission Direction Requested:

Motion regarding the Elaine Murphy application for Grading CUP at the Parcel West of 15824 50th Street with PID # 27.028.20.43.0001, with conditions, if desired.

RECEIVED

AUG 3 2015

CITY OF AFTON

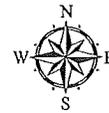
CITY OF AFTON
GRADING PERMIT APPLICATION

7-28-15

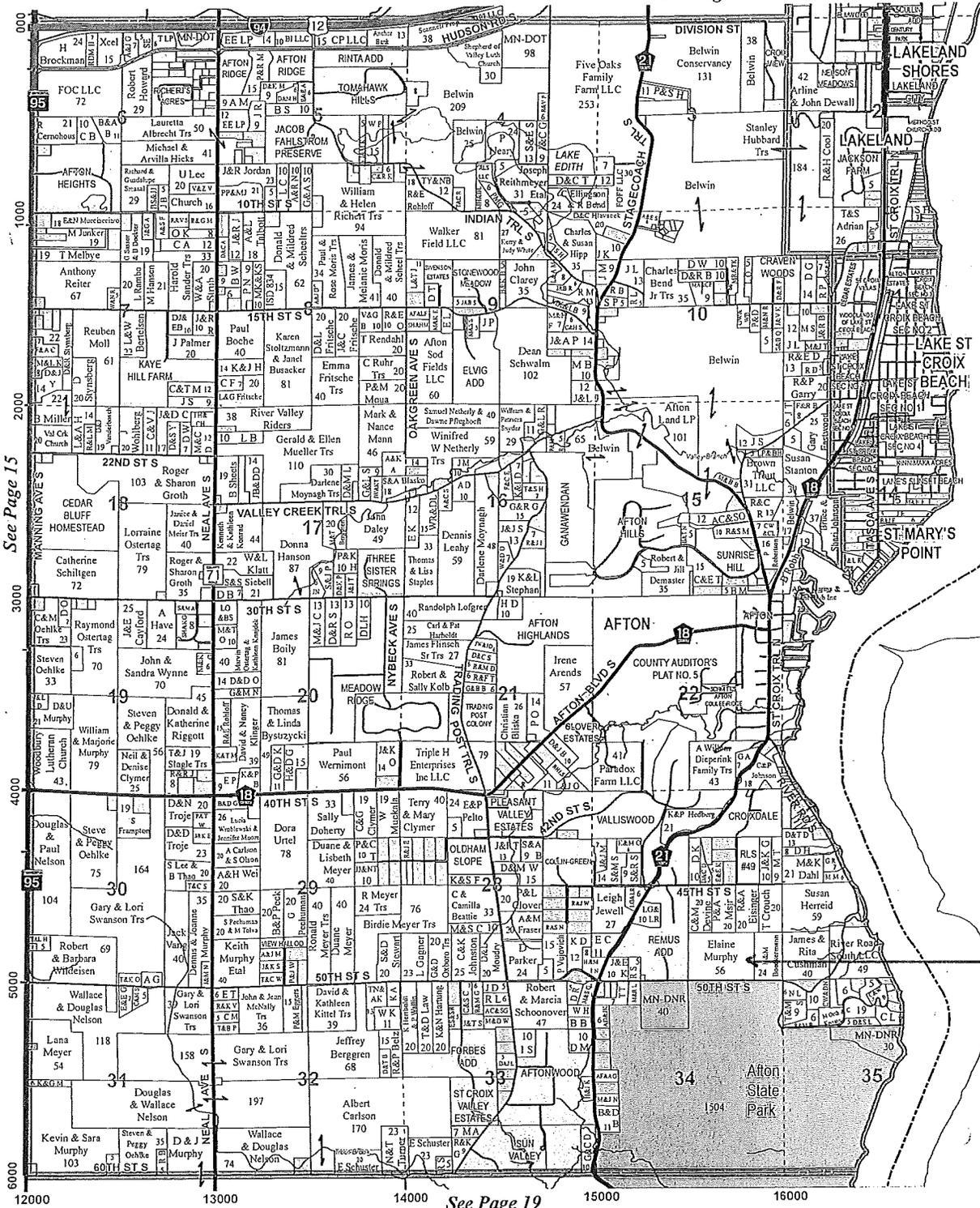
Owner	Address	City	State	Zip	Phone
Elaine Murphy	4969 Neal Ave. S.	Afton	MN	55001	651-459-8007
Applicant (if different than owner)	Address	City	State	Zip	Phone
Elaine Murphy	4969 Neal Ave. S.	Afton	MN	55001	651-459-8007
Project Address		AFTON	MN	55001	
lot west of 15824 50th St. S.					
Zoning Classification	Existing Use of Property	PID# or Legal Description			
Rural Residential	Agriculture	2702820430001			
Description of Request					
Construct a grassed waterway to reduce field erosion.					
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.					
* WCD can act as agent					
Signature of Owner/Applicant					Date
<i>Elaine Murphy</i>					6-17-18
Make checks payable to City of Afton:					
<u>FEES:</u>		<u>DEPOSITS:</u>		TOTAL: <i>\$550</i>	
Grading	<i>CUP \$250</i> \$100	Grading Deposit	<i>\$600</i> \$1000	DATE PAID:	<i>8/3/15</i>
				CHECK #:	<i>12258</i>
				RECVD. BY:	<i>[Signature]</i>
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

Cities of Afton, St. Marys Point, Lakeland,
Lake St. Croix Beach & Lakeland Shores

T.28N. - R.20W.



See Page 14



St. Croix County, WI

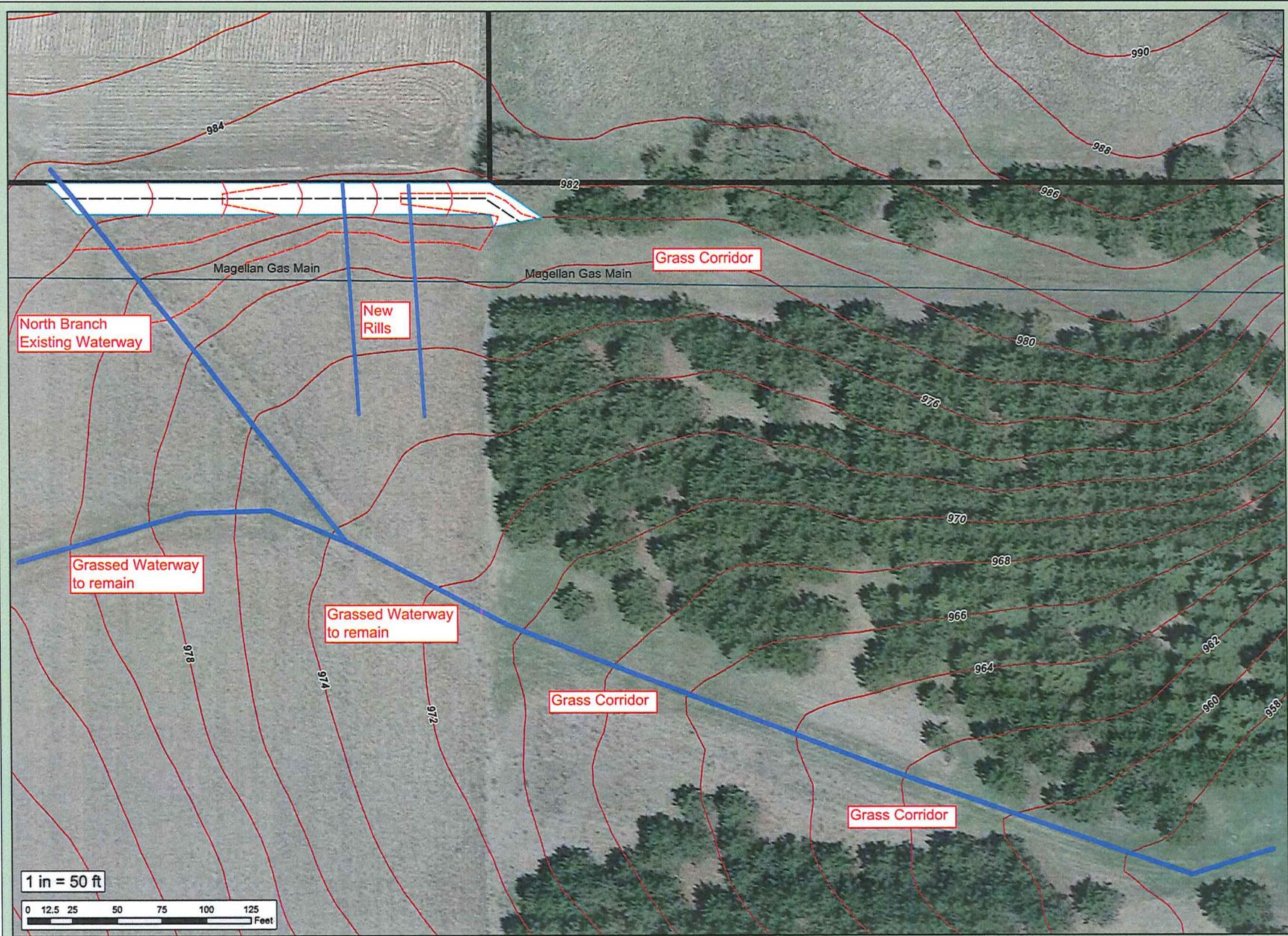
Subject Property

See Page 19

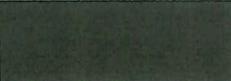
winter scene-
St. Croix Valley

Photo by Pete Ganzel



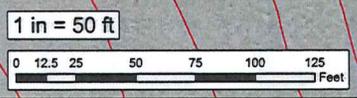


KEY TO FEATURES



Murphy
Grassed Waterway
Afton
PIN: 2702820430001

2013 Aerial Photo



DESIGN REPORT
FOR
MURPHY PROPERTY
GRASSED WATERWAY

SECTION 27, T-28N, R-20W
CITY OF AFTON, WASHINGTON COUNTY

PREPARED BY
JAMES A. LANDINI, PE
WASHINGTON CONSERVATION DISTRICT
455 HAYWARD AVE. N.
OAKDALE, MN 55128
651-330-8220 XT21

July 2015

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.



JAMES A. LANDINI, PE DATE: 7/08/15

REG. NO 44939

DESIGN REPORT
MURPHY GRASSED WATERWAY
WASHINGTON COUNTY
July 2015

GENERAL INFORMATION:

The Murphy property is located in the SW 1/4 of the SE ¼ of Section 27, Township 28 North, Range 20 West (City of Afton), Washington County, Minnesota. The Washington Conservation District has identified a potential pollution problem due to eroding sediment.

The objective of this project is to construct a grassed waterway which outlets to stable woods.

James A. Landini, PE, has designed this project.

SYSTEM COMPONENTS:

The proposed grass waterway will be designed using NRCS MN Standard 412. Approximately 250 lineal feet of grassed waterway will be constructed to convey the runoff.

HydroCad software was used to model the runoff, storage and outlet. A ten-year storm event (4.1 "-24 hour) was used to model a waterway. A surface outlet will be used on the project. The outlet will be to the existing stable woods. The practice is modeled to reduce 8 lbs of Phosphorus per year and reduce 8 tons per year of TSS.

The grassed waterway flows east from the site, continuing to the St. Croix River.

The grassed waterway will be planted in a WL354HQ (Aphanomyces 2) or approved equal seed mix. A double sided straw erosion blanket will be used to promote vegetation establishment on the excavated portion of the grassed waterway. Side slopes on the grassed waterway will be 6:1 to match maintenance equipment width.

Soils:

No soils investigation was completed for this project. Soils in the work area are identified in the published Washington County Soil Survey as 367B Campia silt loam.

There was no observed evidence of existing tile drainage on the property. If existing tile drainage is encountered during construction, it will be connected to the grassed waterway.

Soil from the excavation will be utilized on site to fill the field rills located adjacent to the project. The placed soil will be vegetated with crops.

DESIGN CONSIDERATIONS:

This project will be designed using current NRCS Minnesota Practice Standards. The waterway was sized for the 10 yr precipitation event. The project will use current NRCS Operation & Maintenance documents and Construction & Material Specifications.

Onsite inspection will be based on current NRCS guideline. Field Office/SWCD staff will complete project staking and construction observation. The engineer will be responsible for project certification.

Permit Considerations:

Discharges from non-point source agricultural and silvicultural activities excluded from NPDES permit requirements under 40 CFR pt. 122.3(e).

NRCS Conservation Practice Standard 412 is listed as an exemption from permitting under Clean Water Act Section 404(f) (1) (A).

A DNR work in public waters permit is not required because it is not a protected water.

A land reclamation and land grading permit is required from the City of Afton. All excavated soil shall be placed on site to fill existing rills. The excavated disturbance is 4,482 sq. ft. and will move 111 cyd of soil.

A wetland disturbance permit is not required. The waterway has a history of agriculture. The waterway does not exhibit wetland; vegetation, soils, or water present for two weeks of the growing season.

OPERATION AND MAINTENANCE PLAN

FOR

MURPHY PROPERTY

GRASSED WATERWAY

PREPARED BY

JAMES A. LANDINI, PE

OPERATION AND MAINTENANCE PLAN

This operation and maintenance plan has been reviewed by the owner.

X

Owner

X

Technician

GRASSED WATERWAY

OPERATION & MAINTENANCE PLAN

A properly operated and maintained grassed waterway is an asset to your farm. The estimated life span of this installation is at least 10 years. The life of this waterway can be assured and usually increased by developing and carrying out a good operation and maintenance program.

For grassed waterways it is important to maintain the capacity and vegetative cover and ensure that runoff reaches the waterway. The following tasks are required to properly operate and maintain this practice to obtain good performance:

1. Inspect the waterway after heavy rains for damage. Inspect annually for damage due to normal use.
2. Protect waterway from damage by farm equipment and vehicles. Do not use the waterway as a road, and practice care when crossing to prevent tillage marks or wheel tracks. Maintain constructed width by lifting or disengaging tillage equipment before crossing the waterway.
3. Avoid planting end rows along the side of the waterway, as they often divert water from the waterway and contribute to gully development. Avoid other farming operations which would hinder water entry.
4. Perform grading operations adjacent to the waterway as needed to ensure that runoff enters the grassed waterway rather than being diverted parallel to the waterway causing gully formation.
5. Do not spray the waterway with herbicides intended for adjacent crops. Avoid crossing waterways during spray operations, and then cross only if the spray equipment is completely shut off.
6. Fertilize waterways the first spring after seeding and thereafter as necessary to maintain a vigorous stand of grass.
7. Mow waterways as needed to maintain a healthy, vigorous sod. For wildlife benefits, delay the first mowing until after nesting birds have hatched (about August 1).
8. Prevent trees and brush from growing in the waterway. Regular mowing will control woody vegetation.
9. Do not overgraze the waterway. Do not graze waterway during establishment of vegetation and when soil conditions are wet.
10. Remove sediment deposits to maintain capacity of grassed waterway and reseed as needed. Maintain effective erosion control on the contributing watershed to prevent sedimentation.
11. Fill and seed all rills or small gullies that occur in the waterway. Reestablish vegetative cover immediately where scour erosion has removed established seeding.

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: October 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moore, City Administrator
Date: September 28, 2015
Re: Guy Reithmeyer, et al Application for Minor Subdivision at 1093 Lake Edith Lane S. and 1093 Indian Trail S.

Background

Guy Reithmeyer owns the property at 1093 Lake Edith Lane. The property is nonconforming in size, at 1.889 acres. Mr. Reithmeyer and the owners of the adjacent property at 1093 Indian Trail South have applied for a minor subdivision to transfer 15,443 sq. ft. of land to expand the Reithmeyer property at 1093 Lake Edith Lane. The proposed land division will not create any new lots. The lot line rearrangement could not be accomplished through a simple subdivision because that requires both properties to be conforming both before and after the subdivision. As the 1093 Lake Edith Lane property is less than 5 acres, it is nonconforming. The land division will increase the size of the property, so that it will be less nonconforming. The land division is being done per Section 12-162. Land Division, which is shown below.

Sec. 12-1262. Land division.

B. In cases where adjoining contiguous property owners wish to exchange or otherwise divide land with the intent of enlarging one of the parcels and as a result of such division neither parcel will be more nonconforming in accordance with the zoning ordinance, article II of this chapter, approval must be obtained from the City Council upon recommendation of the Planning Commission after review of the minor lot subdivision application.

Surveys

The surveys showing the current properties and the proposed properties are attached, as well as a table showing the sizes of the original lots, the size of the land to be transferred, and the sizes of the proposed lots.

Multiple Owners

The property at 1093 Indian Trail South has six owners located across the U.S. An application is being routed electronically to the owners for their signatures. The signed application will be provided at the Planning Commission meeting.

Findings

The Planning Commission's recommendation should include findings that are the basis of the recommendation.

Conditions

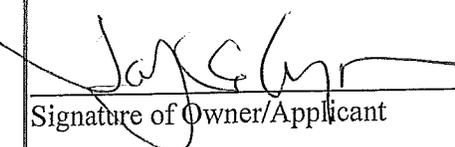
If the Planning Commission recommends approval of the minor subdivision, it may want to place conditions on the approval. Because the proposed subdivision is not creating any additional lots, and there are no improvements to be constructed, staff does not have conditions to recommend.

Planning Commission Direction Requested:

Motion regarding the Guy Reithmeyer, et al Application for Minor Subdivision at 1093 Lake Edith Lane S. and 1093 Indian Trail S. with conditions, if desired.

7-37-15

CITY OF AFTON MINOR SUBDIVISION PERMIT APPLICATION

Owner JOSEPH & KIMBERLY REITHMEYER	Address 1093 LAKE EDITH LANES.	City AFTON	State MN	Zip 55001	Phone (651)- 402-8403
Applicant (if different than owner)	Address	City	State	Zip	Phone
Project Address	1093 LAKE EDITH LANE S. AFTON		MN	55001	
Zoning Classification RR	Existing Use of Property SINGLE FAMILY RESIDENCE	PID# or Legal Description 04.028.20.43.0003 04.028.20.43.0004 (FROM 0004)			
Description of Request LAND DIVISION - SECTION 12-1202	ADD OUTLOT A TO REITHMEYER PROPERTY (.0003) Parcel B				
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.					
Signature of Owner/Applicant 				Date 9/14/2015	
Make checks payable to City of Afton :					
FEES:		DEPOSITS:			
Minor Subdivision	\$250.00	Minor Subdivision	\$1,500.00	TOTAL:	\$1,750.00
				DATE PAID:	9-14-15
				CHECK #:	15666
				RECVD. BY:	
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

REC'D FROM RON MOORSE, 6/5/2015

CITY OF AFTON MINOR SUBDIVISION CHECKLIST Submission Requirements

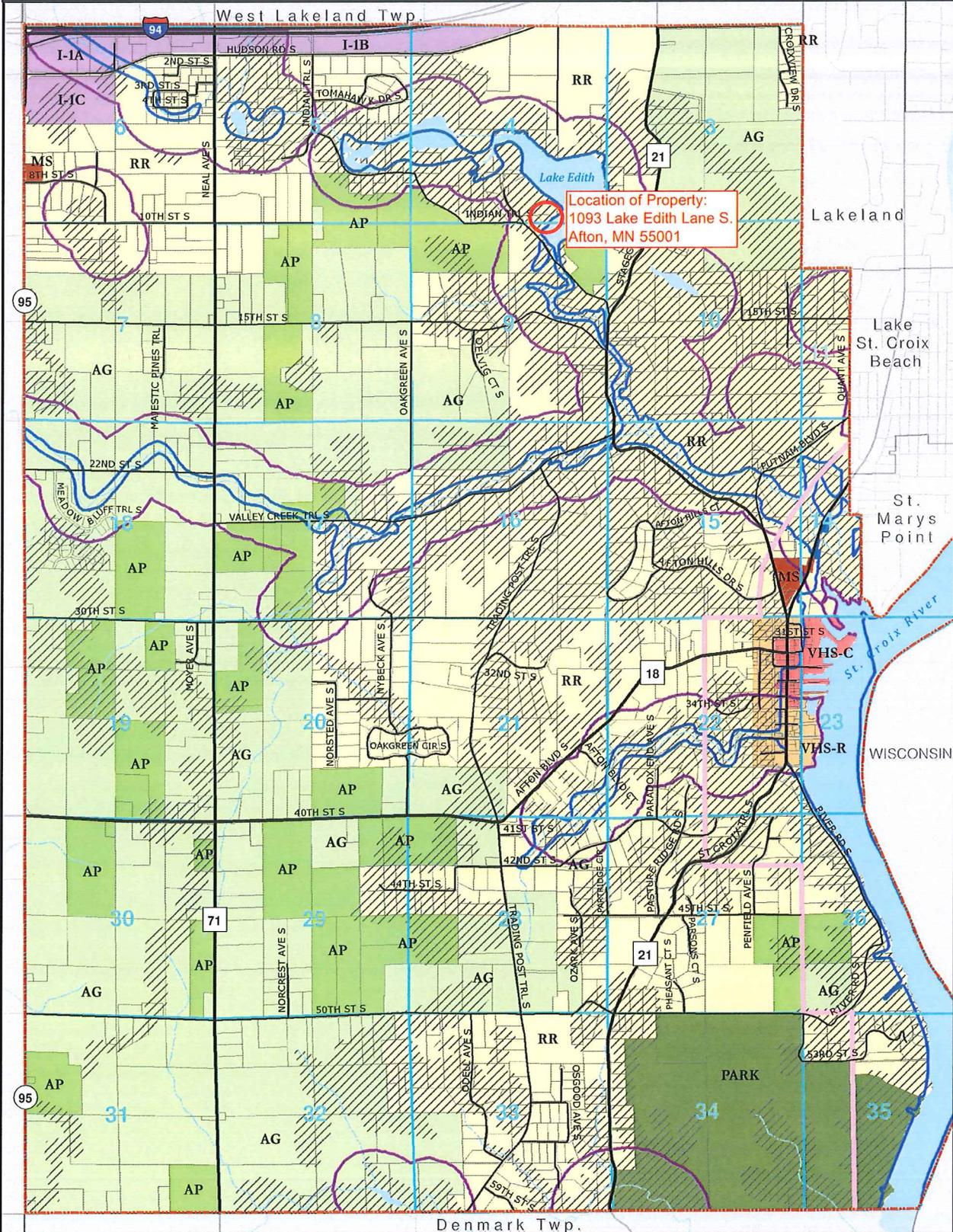
- Completed application form, including full legal name (first, middle, and last) and address of the applicant, fee owner, and any other persons having a legal interest in the property. _____
- Fee as set forth in the current Fee schedule as adopted by the City Council _____
- Proof of Ownership (Copy of Property Tax Statement or Deed) _____
- Location map showing the general location within the City _____
- List of property owners within 500 feet and mailing labels (Available from Washington County Survey & Land Mgmt at 651-430-6875) _____
- Zoning classification of land in and abutting the subdivision _____
- Twenty five (25) sets of maps including the following information: (at least one set in 11" x 17" size) _____
- Survey by a registered land surveyor** at a standard scale, illustrating: _____
 - Boundaries, dimensions, and size of original parcels and proposed new lots
 - Legal description of property (including separate descriptions of all lots)
 - Dedication of road easements and right-of-way
 - Drainage easements
 - Water and wetland delineation
 - Woodlands
 - Existing topography at 2 foot intervals (illustrate the locations of slopes between 13 and 18 percent and 18 and greater)
 - Buildable area (minimum 2.5 contiguous acres)
 - Driveway access points
- _____ Proposed grading, drainage, and erosion control plans if a driveway or other common construction is specified or required _____
- _____ Soil boring and percolation tests (Letter from Washington County) _____
- _____ Copy of proposed private restrictions (if applicable) _____
- _____ Park development fees (as required in Fee Schedule) _____

Note: The City may waive or modify some of these submittal requirements if appropriate to the specific situation. Call ~~Sam~~ *Ron* Moore at (651) 436-3674 if you have questions about specific submittal requirements. *Ron Moore*

Original Large Lot Area (Parcels A & B Combined)	Area: 1,320,725 s.f.	30.320 acres
Parcel A	Area: 1,305,282 s.f.	29.965 acres
Parcel B	Area: 15,443 s.f.	0.355 acres
Reithmeyer Lot	Area: 151,026 s.f.	3.467 acres
Reithmeyer Lot with Parcel B added	Area: 166,469 s.f.	3.822 acres
Reithmeyer Lot (Acreage out of water)	Area: 79,417 s.f.	1.823 acres
Parcel B (Acreage out of water)	Area: 12,393 s.f.	0.285 acres
Combined Lot Area (Acreage out of water)	Area: 91,810 s.f.	2.108 acres

Zoning Map

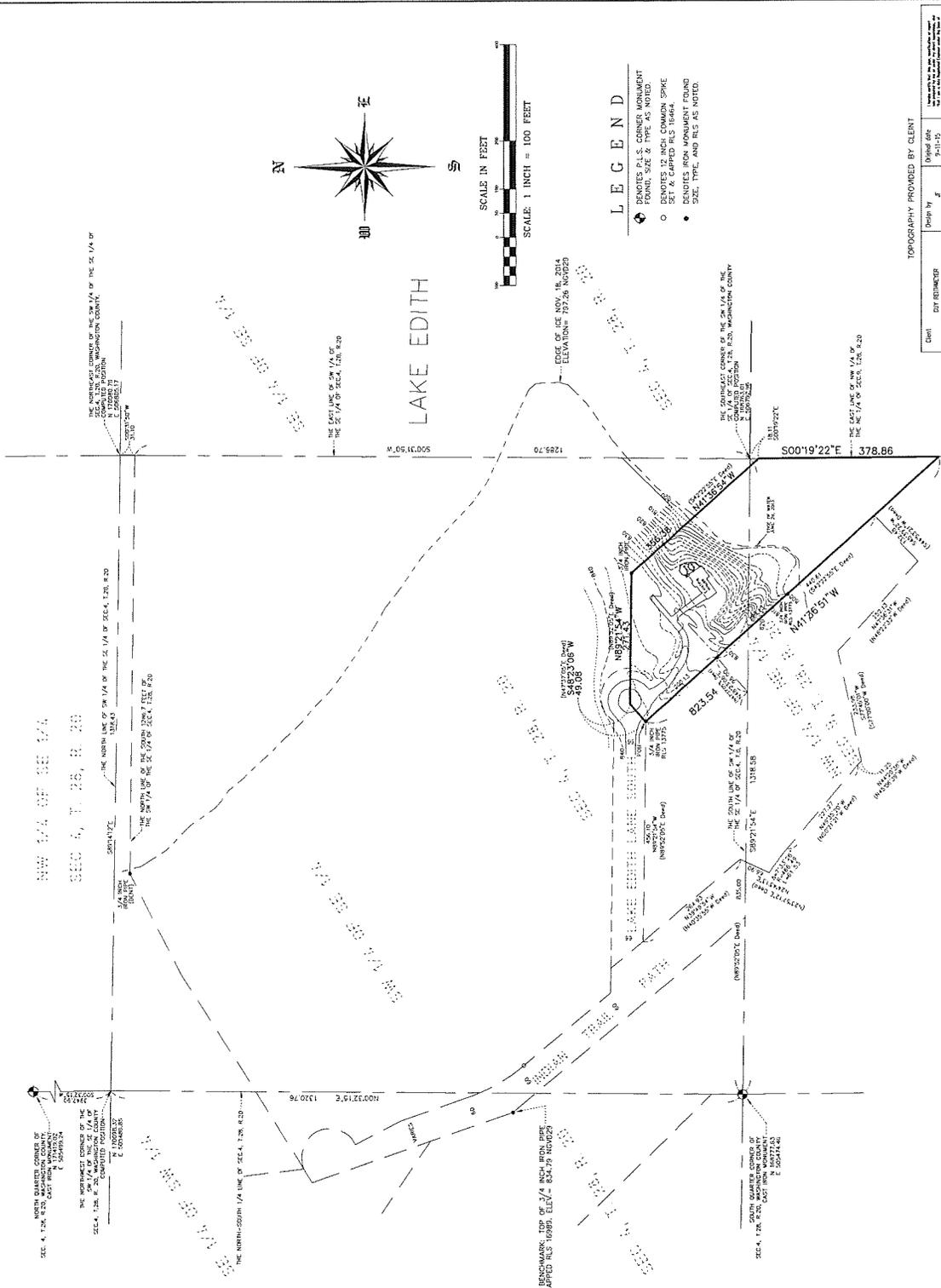
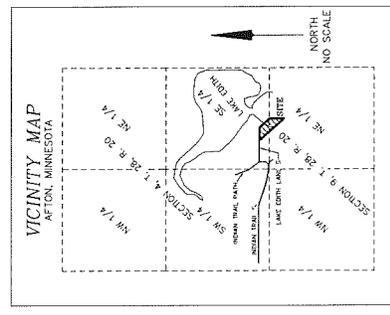
MAP 11



Location of Property:
1093 Lake Edith Lane S.
Afton, MN 55001

Zoning Districts	State Park	City of Afton	Streams
Agriculture	Marina Services	Parcel Boundaries	0 0.5 1 Miles
Ag Preserve	Conservancy Overlay	Section Lines	N
Village Historic Site- Commercial	St. Croix River Bluffland	Major Road	
Industrial	Floodplain Overlay (100 Year)	Local Road	
Village Historic Site- Residential	Shoreland Management Areas	Lakes & Rivers	
Rural Residential			

Boundary Survey for Guy Reithmeyer



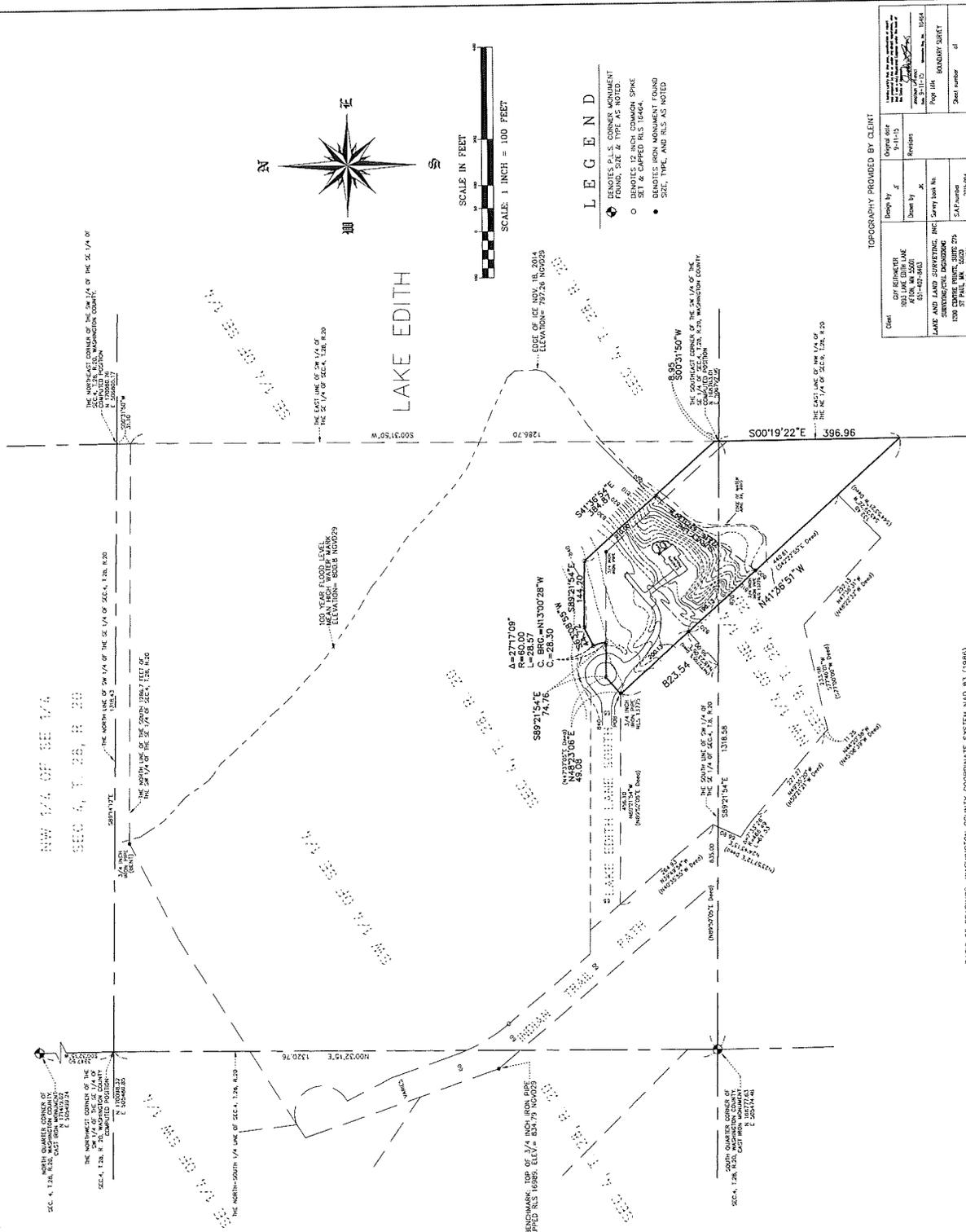
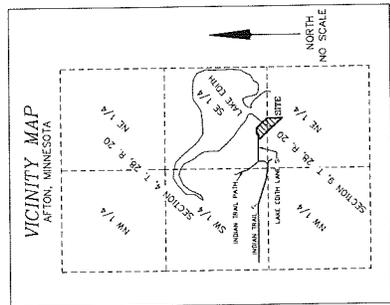
LEGAL DESCRIPTION:

This part of the Southwest Quarter of the Southwest Quarter of Section 4, and that part of Section 5, Township 26 N, Range 20 E, Section 1/4, Guy Reithmeyer, Afton, Washington County, Minnesota described as follows:

Commencing at the south quarter corner of said Section 4, thence North 89 degrees 22 minutes 45 seconds East, a distance of 825 feet to that particular corner marked on Book 297 of Deeds, Page 549, Document Number 2597002-3, thence North 47 degrees 37 minutes 09 seconds East, a distance of 1125 feet to that particular corner marked on Book 297 of Deeds, Page 548, Document Number 2597002-3, thence North 40 degrees 35 minutes 12 seconds East, a distance of 222.27 feet to the most westerly corner of the parcel described in Book 297 of Deeds, Page 548, Document Number 2597002-3, on the end of record in the Office of the County Auditor, Afton, Washington County, Minnesota, thence North 40 degrees 35 minutes 12 seconds East, along the southwestery line of said parcel described in Book 297 of Deeds, Page 548, a distance of 456.49 feet to a central spike of 17 degrees 33 minutes 22 seconds, a distance of 456.49 feet and a central spike of 17 degrees 33 minutes 22 seconds, a distance of 456.49 feet to the intersection of the east line of said parcel with the Northwest Quarter of Section 5, thence North 42 degrees 27 minutes 57 seconds East, a distance of 222.27 feet, thence North 42 degrees 27 minutes 57 seconds East, a distance of 456.49 feet to the intersection of the east line of said parcel with the Northwest Quarter of Section 4, thence North 42 degrees 27 minutes 57 seconds East, a distance of 456.49 feet to the point of beginning.

BASIS OF BEARINGS: WASHINGTON COUNTY COORDINATE SYSTEM MAD 83 (1985)

Proposed New Boundary for Guy Reithmeyer



PROPOSED NEW LEGAL DESCRIPTION:

That part of the Southwest Quarter of the Southeast Quarter of Section 28, Township 28 N, Range 20 E, County of Afton, Minnesota, described as follows:

Commencing at the south quarter corner of said Section 4, thence North 89 degrees 52 minutes 05 seconds East, along the south line of road record in Book 297 of Deeds, Page 549, Document Number 230702; thence North 47 degrees 37 minutes 05 seconds East, a distance of 90.00 feet (closed as defined in that parcel described in Book 297 of Deeds, Page 549, Document Number 230702, on the east of record in the Office of the County Auditor, Afton, Minnesota); thence North 89 degrees 52 minutes 05 seconds East, along the southwesterly line of said parcel described in Book 297 of Deeds, Page 549, a distance of 442.61 feet; thence South 77 degrees 05 minutes 00 seconds West, a distance of 486.49 feet and a central angle of 07 degrees, 33 minutes North 50 degrees 42 minutes 12 seconds East, a distance of 86.50 feet; thence North 40 degrees 12 minutes 12 seconds East, a distance of 11.25 feet; thence North 55 degrees 12 minutes 12 seconds East, a distance of 11.25 feet; thence North 23 degrees 07 minutes 12 seconds West, a distance of 204.93 feet; thence North 89 degrees 52 minutes 05 seconds East, parallel with said south line of Section 4, a distance of 455.10 feet described in Book 297 of Deeds, Page 549 and to the point of beginning of the parcel to be described; thence North 7 degrees 29 minutes 29 seconds East, a distance of 49.00 feet; thence North 89 degrees 52 minutes 05 seconds East, parallel with said south line of Section 4, a distance of 455.10 feet described in Book 297 of Deeds, Page 549, to the intersection with the east line of said Northwest Quarter of the Northwest Quarter of Section 5, to its intersection with said southwesterly line of that parcel described in Book 297 of Deeds, Page 549, thence North 42 degrees 27 minutes 12 seconds West, a distance of 384.87 feet to the point of beginning.

That part of the Southwest Quarter of the Southeast Quarter of Section 4, Township 28 N, Range 20 E, and that part of the Northwest Quarter of the Northwest Quarter of Section 5, Township 28 N, Range 20 E, Washington County, Minnesota, described as follows:

Commencing at the East corner of said Section 4, thence North 89 degrees 52 minutes 05 seconds East, along the south line of said Southwest Quarter of the Southwest Quarter of Section 4, a distance of 1318.84 feet to the southeast corner of said Southwest Quarter of Section 4, thence North 89 degrees 52 minutes 05 seconds East, a distance of 354.96 feet; thence North 89 degrees 52 minutes 05 seconds West, parallel to the south line of said Southwest Quarter of the Southwest Quarter of Section 4, a distance of 354.96 feet; thence North 89 degrees 52 minutes 05 seconds West, parallel to the north line of said Southwest Quarter of the Southwest Quarter of Section 4, a distance of 447.72 feet; thence South 89 degrees 52 minutes 05 seconds East, a distance of 447.72 feet; thence South 89 degrees 52 minutes 05 seconds East, a distance of 384.87 feet to the east line of said Southwest Quarter of the Southwest Quarter of Section 4, thence South 90 degrees 31 minutes 12 seconds East, a distance of 8.85 feet to the point of beginning.

LEGEND

- ◆ DENOTES P.L.S. CORNER MONUMENT
- DENOTES P.L.S. IRON CONICAL SPIKE SET & CAPPED P.L.S. 1964A
- DENOTES IRON MONUMENT FOUND
- SIZE, TYPE, AND RLS AS NOTED

TOPOGRAPHY PROMISED BY CLIENT			
Contour	Depth by	Depth	Reason
5' to 10'	5'	9-11-15	Revised
10' to 15'	10'	9-11-15	Revised
15' to 20'	15'	9-11-15	Revised
20' to 25'	20'	9-11-15	Revised
25' to 30'	25'	9-11-15	Revised
30' to 35'	30'	9-11-15	Revised
35' to 40'	35'	9-11-15	Revised
40' to 45'	40'	9-11-15	Revised
45' to 50'	45'	9-11-15	Revised
50' to 55'	50'	9-11-15	Revised
55' to 60'	55'	9-11-15	Revised
60' to 65'	60'	9-11-15	Revised
65' to 70'	65'	9-11-15	Revised
70' to 75'	70'	9-11-15	Revised
75' to 80'	75'	9-11-15	Revised
80' to 85'	80'	9-11-15	Revised
85' to 90'	85'	9-11-15	Revised
90' to 95'	90'	9-11-15	Revised
95' to 100'	95'	9-11-15	Revised
100' to 105'	100'	9-11-15	Revised
105' to 110'	105'	9-11-15	Revised
110' to 115'	110'	9-11-15	Revised
115' to 120'	115'	9-11-15	Revised
120' to 125'	120'	9-11-15	Revised
125' to 130'	125'	9-11-15	Revised
130' to 135'	130'	9-11-15	Revised
135' to 140'	135'	9-11-15	Revised
140' to 145'	140'	9-11-15	Revised
145' to 150'	145'	9-11-15	Revised
150' to 155'	150'	9-11-15	Revised
155' to 160'	155'	9-11-15	Revised
160' to 165'	160'	9-11-15	Revised
165' to 170'	165'	9-11-15	Revised
170' to 175'	170'	9-11-15	Revised
175' to 180'	175'	9-11-15	Revised
180' to 185'	180'	9-11-15	Revised
185' to 190'	185'	9-11-15	Revised
190' to 195'	190'	9-11-15	Revised
195' to 200'	195'	9-11-15	Revised
200' to 205'	200'	9-11-15	Revised
205' to 210'	205'	9-11-15	Revised
210' to 215'	210'	9-11-15	Revised
215' to 220'	215'	9-11-15	Revised
220' to 225'	220'	9-11-15	Revised
225' to 230'	225'	9-11-15	Revised
230' to 235'	230'	9-11-15	Revised
235' to 240'	235'	9-11-15	Revised
240' to 245'	240'	9-11-15	Revised
245' to 250'	245'	9-11-15	Revised
250' to 255'	250'	9-11-15	Revised
255' to 260'	255'	9-11-15	Revised
260' to 265'	260'	9-11-15	Revised
265' to 270'	265'	9-11-15	Revised
270' to 275'	270'	9-11-15	Revised
275' to 280'	275'	9-11-15	Revised
280' to 285'	280'	9-11-15	Revised
285' to 290'	285'	9-11-15	Revised
290' to 295'	290'	9-11-15	Revised
295' to 300'	295'	9-11-15	Revised
300' to 305'	300'	9-11-15	Revised
305' to 310'	305'	9-11-15	Revised
310' to 315'	310'	9-11-15	Revised
315' to 320'	315'	9-11-15	Revised
320' to 325'	320'	9-11-15	Revised
325' to 330'	325'	9-11-15	Revised
330' to 335'	330'	9-11-15	Revised
335' to 340'	335'	9-11-15	Revised
340' to 345'	340'	9-11-15	Revised
345' to 350'	345'	9-11-15	Revised
350' to 355'	350'	9-11-15	Revised
355' to 360'	355'	9-11-15	Revised
360' to 365'	360'	9-11-15	Revised
365' to 370'	365'	9-11-15	Revised
370' to 375'	370'	9-11-15	Revised
375' to 380'	375'	9-11-15	Revised
380' to 385'	380'	9-11-15	Revised
385' to 390'	385'	9-11-15	Revised
390' to 395'	390'	9-11-15	Revised
395' to 400'	395'	9-11-15	Revised
400' to 405'	400'	9-11-15	Revised
405' to 410'	405'	9-11-15	Revised
410' to 415'	410'	9-11-15	Revised
415' to 420'	415'	9-11-15	Revised
420' to 425'	420'	9-11-15	Revised
425' to 430'	425'	9-11-15	Revised
430' to 435'	430'	9-11-15	Revised
435' to 440'	435'	9-11-15	Revised
440' to 445'	440'	9-11-15	Revised
445' to 450'	445'	9-11-15	Revised
450' to 455'	450'	9-11-15	Revised
455' to 460'	455'	9-11-15	Revised
460' to 465'	460'	9-11-15	Revised
465' to 470'	465'	9-11-15	Revised
470' to 475'	470'	9-11-15	Revised
475' to 480'	475'	9-11-15	Revised
480' to 485'	480'	9-11-15	Revised
485' to 490'	485'	9-11-15	Revised
490' to 495'	490'	9-11-15	Revised
495' to 500'	495'	9-11-15	Revised
500' to 505'	500'	9-11-15	Revised
505' to 510'	505'	9-11-15	Revised
510' to 515'	510'	9-11-15	Revised
515' to 520'	515'	9-11-15	Revised
520' to 525'	520'	9-11-15	Revised
525' to 530'	525'	9-11-15	Revised
530' to 535'	530'	9-11-15	Revised
535' to 540'	535'	9-11-15	Revised
540' to 545'	540'	9-11-15	Revised
545' to 550'	545'	9-11-15	Revised
550' to 555'	550'	9-11-15	Revised
555' to 560'	555'	9-11-15	Revised
560' to 565'	560'	9-11-15	Revised
565' to 570'	565'	9-11-15	Revised
570' to 575'	570'	9-11-15	Revised
575' to 580'	575'	9-11-15	Revised
580' to 585'	580'	9-11-15	Revised
585' to 590'	585'	9-11-15	Revised
590' to 595'	590'	9-11-15	Revised
595' to 600'	595'	9-11-15	Revised
600' to 605'	600'	9-11-15	Revised
605' to 610'	605'	9-11-15	Revised
610' to 615'	610'	9-11-15	Revised
615' to 620'	615'	9-11-15	Revised
620' to 625'	620'	9-11-15	Revised
625' to 630'	625'	9-11-15	Revised
630' to 635'	630'	9-11-15	Revised
635' to 640'	635'	9-11-15	Revised
640' to 645'	640'	9-11-15	Revised
645' to 650'	645'	9-11-15	Revised
650' to 655'	650'	9-11-15	Revised
655' to 660'	655'	9-11-15	Revised
660' to 665'	660'	9-11-15	Revised
665' to 670'	665'	9-11-15	Revised
670' to 675'	670'	9-11-15	Revised
675' to 680'	675'	9-11-15	Revised
680' to 685'	680'	9-11-15	Revised
685' to 690'	685'	9-11-15	Revised
690' to 695'	690'	9-11-15	Revised
695' to 700'	695'	9-11-15	Revised
700' to 705'	700'	9-11-15	Revised
705' to 710'	705'	9-11-15	Revised
710' to 715'	710'	9-11-15	Revised
715' to 720'	715'	9-11-15	Revised
720' to 725'	720'	9-11-15	Revised
725' to 730'	725'	9-11-15	Revised
730' to 735'	730'	9-11-15	Revised
735' to 740'	735'	9-11-15	Revised
740' to 745'	740'	9-11-15	Revised
745' to 750'	745'	9-11-15	Revised
750' to 755'	750'	9-11-15	Revised
755' to 760'	755'	9-11-15	Revised
760' to 765'	760'	9-11-15	Revised
765' to 770'	765'	9-11-15	Revised
770' to 775'	770'	9-11-15	Revised
775' to 780'	775'	9-11-15	Revised
780' to 785'	780'	9-11-15	Revised
785' to 790'	785'	9-11-15	Revised
790' to 795'	790'	9-11-15	Revised
795' to 800'	795'	9-11-15	Revised
800' to 805'	800'	9-11-15	Revised
805' to 810'	805'	9-11-15	Revised
810' to 815'	810'	9-11-15	Revised
815' to 820'	815'	9-11-15	Revised
820' to 825'	820'	9-11-15	Revised
825' to 830'	825'	9-11-15	Revised
830' to 835'	830'	9-11-15	Revised
835' to 840'	835'	9-11-15	Revised
840' to 845'	840'	9-11-15	Revised
845' to 850'	845'	9-11-15	Revised
850' to 855'	850'	9-11-15	Revised
855' to 860'	855'	9-11-15	Revised
860' to 865'	860'	9-11-15	Revised
865' to 870'	865'	9-11-15	Revised
870' to 875'	870'	9-11-15	Revised
875' to 880'	875'	9-11-15	Revised
880' to 885'	880'	9-11-15	Revised
885' to 890'	885'	9-11-15	Revised
890' to 895'	890'	9-11-15	Revised
895' to 900'	895'	9-11-15	Revised
900' to 905'	900'	9-11-15	Revised
905' to 910'	905'	9-11-15	Revised
910' to 915'	910'	9-11-15	Revised
915' to 920'	915'	9-11-15	Revised
920' to 925'	920'	9-11-15	Revised
925' to 930'	925'	9-11-15	Revised
930' to 935'	930'	9-11-15	Revised
935' to 940'	935'	9-11-15	Revised
940' to 945'	940'	9-11-15	Revised
945' to 950'	945'	9-11-15	Revised
950' to 955'	950'	9-11-15	Revised
955' to 960'	955'	9-11-15	Revised
960' to 965'	960'	9-11-15	Revised
965' to 970'	965'	9-11-15	Revised
970' to 975'	970'	9-11-15	Revised
975' to 980'	975'	9-11-15	Revised
980' to 985'	980'	9-11-15	Revised
985' to 990'	985'	9-11-15	Revised
990' to 995'	990'	9-11-15	Revised
995' to 1000'	995'	9-11-15	Revised

BASES OF BEARINGS: WASHINGTON COUNTY COORDINATE SYSTEM NAD 83 (1986)

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: October 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorse, City Administrator
Date: September 29, 2015
Re: Jessie Wilcox Application for an After-the-Fact Variance at 14725 Afton Boulevard

Background

Jessie Wilcox has applied for an after-the fact variance to enable two existing accessory buildings that exceed the maximum allowed total square footage to remain on the property. In 2004, the property contained a house and a garage. The then-current property owner wanted to build a large pole barn on the property, but the pole barn along with the garage was going to exceed the maximum allowed square footage of accessory buildings. To address this issue, the property owner provided a letter (see attached) indicating the garage would be joined to the house to create one large principal structure. This would make the pole barn conforming. Based on the letter, the building permit was issued for the pole barn and it was built in 2004. Subsequently, the property owner did not eliminate the garage.

Subsequent to the construction of the pole barn, the then-current property owner demolished the garage and replaced it with a building designed to be used as a dwelling unit. This was done without a building permit. The property has, since that time, been sold to two different owners. An outline of the history of the property is attached.

Mr. Wilcox is requesting that, as he is the second owner of the property since the pole barn and second dwelling unit were built, and he did not have knowledge that the buildings were nonconforming, a variance be granted to enable both structures to remain on the property.

The variance request is specifically to allow the two accessory buildings that together exceed the maximum allowable size of accessory buildings to remain. The parcel size is 10 acres, which allows a maximum of 2500 sq. ft. of accessory buildings. The two existing accessory buildings total 3,020 sq. ft. This is 520 sq. ft. over the maximum allowed.

Options for Consideration

1. Approve an after-the-fact variance to allow a total of 3,020 sq. ft. of accessory buildings vs. the allowed 2,500 sq. ft.
2. Deny the variance and require that the building size be brought into conformance with the ordinance, either by removing all or a portion of one of the buildings, or by attaching the smaller building to the house as proposed by the then-current owner in 2004.

Design and Use of the Smaller Accessory Building

As the variance questionnaire indicates, the smaller accessory building was built as a second dwelling unit/guest house. The structure has a kitchen, a living room, a bathroom, and a loft area. The layout of the building is attached. Sec. 12-186 of the City Code requires that "There shall be no more than one residential dwelling unit

on any one parcel of land described in Section 12- 132, unless otherwise allowed in the Zoning Code. The three exceptions are a duplex, a temporary accessory dwelling unit and an accessory dwelling unit (mother-in-law apartment). Both the duplex and the accessory dwelling unit require the second dwelling unit to be in the principal structure. The temporary accessory dwelling unit must be a temporary structure that is easily movable, such as a manufactured trailer home.

If the Planning Commission recommends that this structure can remain, the recommendation should include conditions to ensure the structure cannot be used as a second dwelling unit. The conditions could include a declaration signed by the property owner and recorded against the property indicating that the structure will not be used as a dwelling unit, including a guest house, will not be rented, etc. The conditions could also include internal changes to the structure so that it cannot be readily used as a dwelling unit. These could include changes to the kitchen area, such as removing the appliances, eliminating access to the loft area, prohibiting closets, etc.

Findings

The Planning Commission's recommendation should include findings that are the basis of the recommendation.

Conditions

If the Planning Commission recommends approval of the variance, it is recommended that the Commission consider the conditions outlined above related to the smaller accessory building.

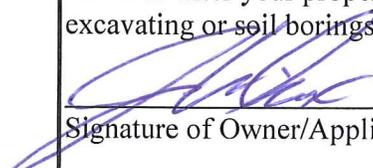
Planning Commission Direction Requested:

Motion regarding the Jessie Wilcox Application for an After-the-Fact Variance at 14725 Afton Boulevard with conditions, if desired.

7-31-15

CITY OF AFTON VARIANCE APPLICATION

(Reference Sections: 12-55, 12-77, 12-328 12-835, 12-1020, 12-1266, 12-1955, 12-2228)

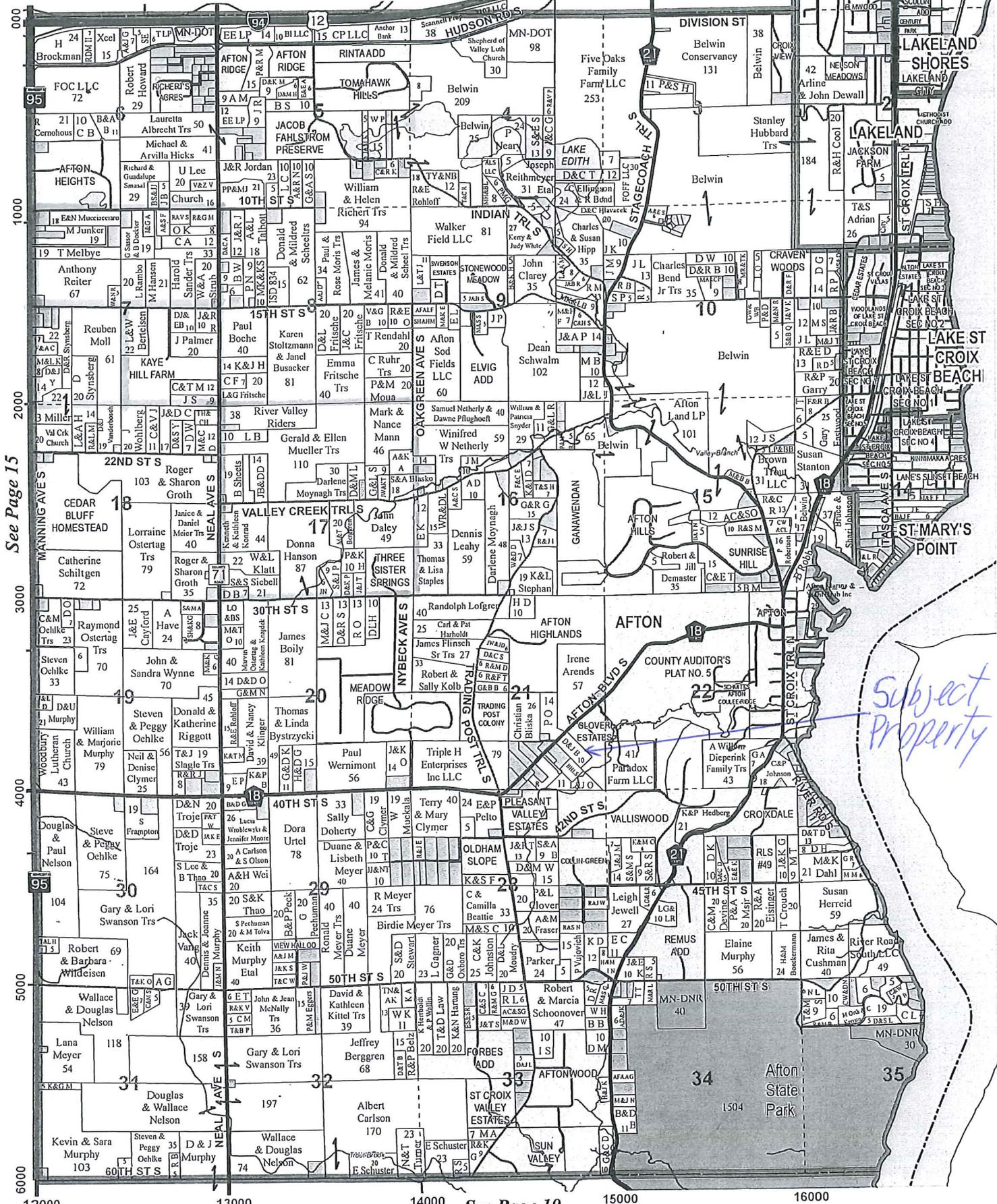
Owner	Address	City	State	Zip	Phone
Jesse and Jenny Wilcox	14725 Afton Blvd So	Afton	MN	55001	612-363-2280
Applicant (if different than owner)	Address	City	State	Zip	Phone
Project Address	AFTON		MN	55001	
14725 Afton Blvd So					
Zoning Classification	Existing Use of Property	PID# or Legal Description			
Rural Residential	Residential	21-028-20-44-0008			
Please list the section(s) of the code from which the variance(s) are requested.					
12-187					
Description of Request					
Request an after the fact variance to exceed the max 2500sf of accessory space for 10.2 acres. The pole barn, permitted on condition of a written agreement by Simonsons to connect the main house with a second structure, consists of 2240 sf. The second structure, a former garage, consists of 1000sf.					
The Simonsons failed to keep their word to the City and did not connect the structures, See attached history and documents provided by Mr Morse.					
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.					
Signature of Owner/Applicant			Date		
			9/14/15		
Make checks payable to: City of Afton					
If multiple variances are necessary from the applicant only one fee is required. However, the deposit fee must be multiplied by the number of variances sought.					
FEES:		ESCROWS:			
Variance	\$250	\$600	TOTAL:	850.00	
Renewal/Extension	\$250	\$350	DATE PAID:	9/14/15	
			CHECK #:	12952	
			RECVD BY:	no. 7	

Cities of Afton, St. Marys Point, Lakeland, Lake St. Croix Beach & Lakeland Shores



T.28

See Page 14



See Page 15

See Page 19

Applicant(s): Jesse and Jenny Wilcox
Phone: 612-363-2280
Mailing Address: 14725 Afton Blvd S. Afton, MN 55001
Property Address for variance: 14725 Afton Blvd S. Afton, MN 55001

Variance request description: Allow previous constructed accessory structure to remain on site and allow the total property of 10 acres to have two accessory structures on the property totaling 3,400 SF. Plus have a principle structure.

City Ordinance Section number(s), for which the variance is requested: 12-187

Answer the following questions to the best of your ability - based on the criteria found in section 12-77 of Afton's Code (Land Use, Appeals and Variances). Completing this questionnaire will help the Planning Commission and the City of Afton evaluate your application in light of the requirements of Afton's Variance Ordinance. It does not guarantee that your variance request will be approved. If needed use a separate page.

Background: This questionnaire is designed to help you and the City of Afton determine whether a variance should be granted. Please consult with the City Administrator who can help you with your variance application and explain the Variance Ordinance to you. The City Administrator will work with you to ensure that the variance you request is the minimum variance required to provide the same rights commonly enjoyed by other properties in the same zoning district. Because of special provisions for certain types of construction, the City Administrator will also determine whether the property is in the Flood Plain District. There are also special provisions for earth-sheltered construction.

Criteria #1 - Please explain why the proposed use which requires a variance is a reasonable use for this property. Explain:

The current two accessory buildings located on the property have been in place since 2004/2006. The current pole shed was permitted and the second two story garage was constructed without a permit. This work was completed prior to the past two owners of the property.

Criteria #2 - What exceptional or extraordinary circumstances related to the property do not apply generally to other properties in the same zone or vicinity? Extraordinary circumstances would include lot size, irregular lot shape or topography. Are there other circumstances over which you, as the property owner, have no control?

Explain:

The structures have been in place and are non conforming to the land use ordinance and we would like to bring the property into conformance prior to permitting a possible remodel to the existing primary home constructed in 1968.

Criteria #3 - How does the literal interpretation of the provisions of the Afton ordinance (from which you are requesting a variance) deprive you of rights commonly enjoyed by other properties in the same zoning district?

Explain:

The property is non-conforming and we are unable to sell and or permit a new construction permit without obtaining a variance. We could sell and disclose the non conformance and risk a great deal of value on the property.

Criteria #4 - How did these exceptional circumstances related to the property come about? Did actions by you create these circumstances?

Explain:

The circumstances came about for the lack of building permit review and closure in 2004 by the previous owner 2 owners ago. The property was sold to the previous owners as an attached guesthouse by means of a pergola to the primary structure and then sold to us the current owners as the same circumstances. All the structures have been in place since 2004/2006.

Criteria #5

- Will the granting of the requested variance confer on you, the applicant, any special privilege that is denied by this ordinance to owners of other lands, structures, or buildings in the same zoning district?

Explain:

NO it will allow us to move forward with proper documents in place to sell and or add new construction the existing primary structure.

Criteria #6 - Is the variance you are requesting the minimum variance which would alleviate the practical difficulty or hardship for your property?

Explain:

Yes the additional accessory structure variance is the minimum variance request we can apply for to reduce the hardship of the property purchase. The property was purchased as have a guest house which will be reduced to an accessory structure under this variance request resulting a loss of use and market value. This hardship would be eliminated if the property would remain with a variance/CUP for a guesthouse.

Criteria #7 (Optional) - Will the variance be materially detrimental to the purposes of this Ordinance, or to property in the same zoning district? How would the use of the property, if allowed by the variance, affect other properties in the vicinity?

Explain:

The variance request will allow the property to have two accessory structures plus a primary structure; it will not affect other properties within the area as the structures have already been in place for 10 years.

Criteria #8 - Is the variance being requested for economic reasons?

Explain:

Yes, if no variance is granted the to property value will be diminished by the taxable value of \$81,500.00 which the Washington County Assessor's office has the accessory structure valued and taxed at 40% of our tax basis paid yearly to the County and City of Afton

Criteria #9 (optional), PC - Is the property in a Flood Plain District? Yes No

Criteria #10 - Is the variance for earth-sheltered construction? Yes No

ADDITIONAL CRITERIA THAT MAY BE CONSIDERED BY THE PLANNING COMMISSION (PC) AND/OR CITY COUNCIL(CC)- Applicant responses to criteria #11 and criteria #12 are optional.

Criteria #11 (Optional), PC - Is the requested variance in harmony with the Afton ordinances and code? How will this variance, if granted (and the proposed use of the property, if allowed) affect the essential character of the area?

Explain: The structure will remain onsite with the variance and the paperwork to make the property legal and in conformance of the city code.

Criteria #12 (Optional), PC - Is the requested variance in harmony with the Afton comprehensive plan?
Explain: _____

Partial History of 14725 Afton Blvd South, Afton, MN

1. 19xx Simonsons purchase property.
2. 4/19/04 permit application, with variance granted, pole shed constructed. (see attachment 1)
3. 5/5/04 Simonsons give letter to City stating they will connect garage and home, provide drawing. (see attachment 2)
4. 2006, per WA county website; Simonsons take down garage and build new structure without permit.
5. 6/9/08 Barretts purchase property after being told by listing realtor the property meets code as arbor connects the 2 structures.
6. 7/17/13 Barretts sell to Wilcox's and provide same information.
7. 1/29/14 Wilcox meets with Ron and Dewayne on plan to remodel old house; both concerned with guest house – needs to be one home not to code...
8. 12/02/14 Wilcox told by two local banks cannot refinance as property is not up to Afton code;
From PenFed bank:
There are two houses on site. It was originally a house and a garage. The owner finished the garage and then converted it into a complete second home.

The appraiser states per the City of Afton this is an illegal structure.

Please advise if you have a work permit for converting the garage into a second home. If so please forward the work permit to Penfed --- DOES NOT EXSIST
9. 1/28/15 Wilcox's approach City re permit to remodel main home and told second structure does not meet code. Reviewed by city attorney stated the property could not be grandfathered; as it was constructed without permit after the city code was adopted.
10. 2/26/15 Wilcox's told by local realtor he would not list property without disclaimer, as property does not comply with city code.

11. 3/15/15 Wilcox's inform Barrett's of code issue seeking compensation to bring property into code as City instructed them to make significant changes to property, connect or remove one structure.

Barrett's relied on information from Simonson's through their realtor, relayed this to the Wilcox's and both now find the property is in violation of code and has been since 2006. Barrett's sold in good faith and Wilcox's purchased in good faith. Wilcox's approached City in good faith to request permit in accordance with code.

Barrett's and Wilcox's request the City to grant a perpetuate variance for two structures and pole shed, be grandfathered in, or make necessary changes in code, such as Section 12-200, to make this situation right, with the property meeting code and the Wilcox property marketable for them and future buyers.

Brad & Karyl Simonsen

14725 Afton Blvd.

Afton, MN 55001

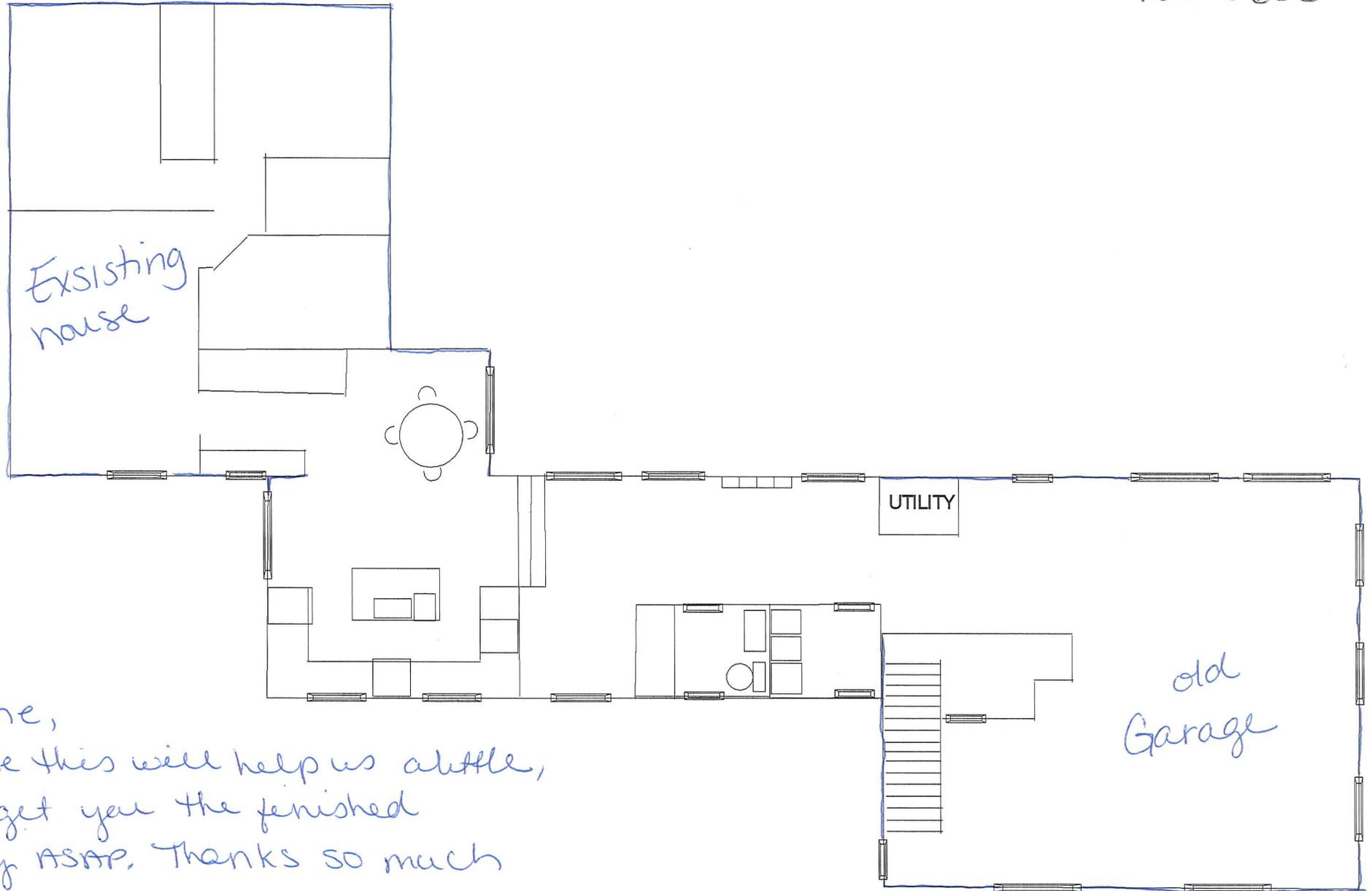
657 436-6600

We will be attaching the existing garage to an existing house making it one liveable residence.

Karyl Simonsen
5-5-04

See
for

Brad + Karyl Simonson
14725 Afton Blvd.
651 436-6600



Duane,
I hope this will help us a little,
I'll get you the finished
copy ASAP. Thanks so much

Karyl

Brad Cell 755-0736

reage 9.67
ldress 14725 AFTON BLVD S
wner WILCOX JESSE L & JENNY C
Class Residential







WASHINGTON COUNTY
or Current Resident
11660 MYERON RD N
STILLWATER MN 55082

LAUDERDALE GREGG E & LISA M DAMON
or Current Resident
PO BOX 323
AFTON MN 55001-0323

PUNG DAVID & RAENETTE MANDERFELD-PUNG
or Current Resident
14801 AFTON BLVD
AFTON MN 55001

WILCOX JESSE L & JENNY C
or Current Resident
14725 AFTON BLVD S
AFTON MN 55001

SCHATT STEVEN M & AMY K
or Current Resident
14851 AFTON BLVD CT
AFTON MN 55001

CLARE GERALD W & SUSAN J
or Current Resident
14640 AFTON BLVD S
AFTON MN 55001

BLISKA CHRISTIAN B
or Current Resident
14698 AFTON BLVD S
AFTON MN 55001

CITY OF AFTON
or Current Resident
3033 ST CROIX TRL S PO BOX 219
AFTON MN 55001-0219

PARADOX FARM LLC
or Current Resident
250 S HAMLIN
ST PAUL MN 55105

POLLOCK ALAN A
or Current Resident
14671 AFTON BLVD ST
AFTON MN 55001

FIEDLER ROBERT L & YVONNE K
or Current Resident
4489 SNAIL LAKE BLVD
SHOREVIEW MN 55126

PORUPSKY MARC A & JENNIFER K
or Current Resident
14893 AFTON BLVD CT
AFTON MN 55001

SQUIRES NICHOLAS A & BRITTANY M DARST
or Current Resident
14641 AFTON BLVD S
AFTON MN 55001

YOUNIS HATEM A
or Current Resident
14661 AFTON BLVD S
AFTON MN 55001

WELLNER STEVEN J & SHARON E
or Current Resident
14676 AFTON BLVD S
AFTON MN 55001

BOHACEK PETER HANS & KRISTEN HANSEN
or Current Resident
14675 AFTON BLVD S
AFTON MN 55001

ARENDS DEBORAH A
or Current Resident
14682 AFTON BLVD S
AFTON MN 55001

ARENDS IRENE B
or Current Resident
14788 AFTON BLVD S
AFTON MN 55001

RECEIVED

SEP 22 2015

CITY OF AFTON

Receipt:# 232195

3956845

WAR \$46 00
CONV \$5 00
SDT \$1369 50
WELL \$50 00
Transferred Entered
CRV Filed
No Delinquent Taxes



Certified Filed and/or recorded on:
7/25/2013 1:26 PM

3956845

Office of the County Recorder
Washington County, Minnesota
Jennifer Wagenius, County Recorder
Kevin Corbid, Auditor Treasurer

Return to:
TITLE RECORDING SVCS
79 WESTERN AVE N #C
ST PAUL MN 55102

21. 028. 20. 44. 0010

(Top 3 inches reserved for recording data)

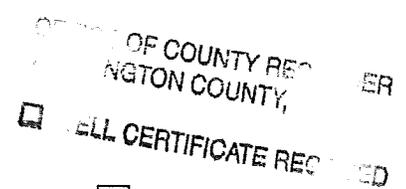
WARRANTY DEED Minnesota Uniform Conveyancing Blanks
Individual(s) to Joint Tenants Form 10.1.5 (2006)

Deed Tax Due \$ 1,369.50
ECRV # 159016

Date: July 17, 2013

FOR VALUABLE CONSIDERATION, Donald D. Barrett and Jeanne M. Barrett, husband and wife, ("Grantor"), hereby conveys and warrants to Jesse L. Wilcox and Jenny C. Wilcox, ("Grantee"), as joint tenants, real property in Washington County, Minnesota, legally described as follows:

See Attached Exhibit "A"



Check here if all or part of the described real property is Registered (Torrens)

Together will all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Subject to covenants, conditions, restrictions, reservations, and easements of record, if any.

Check applicable box:

- The Seller certifies that the Seller does not Know of any wells on the described real Property.
- A well disclosure certificate accompanies This document or has been electronically Filed. (If electronically filed, insert WDC Number: _____)
- I am familiar with the property described In this instrument and I certify that the Status of wells on the described real Property have not changed since the last Previously filed well disclosure certificate.

13-060058

Grantor

Donald D. Barrett
Donald D. Barrett

Jeanne M. Barrett
Jeanne M. Barrett

Title Recording Services, Inc.
79 Western Ave N
St. Paul, MN 55102
WASHINGTON A

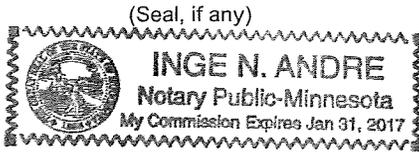
678230
13060058
DCA BASIC



WD

State of Minnesota
County of Dakota

This instrument was acknowledged before me on 7/17/13, by Donald D. Barrett and Jeanne M. Barrett, husband and wife



Inge N. Andre

(signature of notarial officer)

Title (and Rank) _____

My commission expires: _____
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)
Edina Realty Title, Inc.
6800 France Ave S , Suite 410
Edina, MN 55435

TAX STATEMENTS FOR THE REAL PROPERTY
DESCRIBED IN THIS INSTRUMENT SHOULD BE
SENT TO:
Jesse L. Wilcox and Jenny C. Wilcox
14725 Afton Boulevard South,
Afton, MN 55001

EXHIBIT "A"

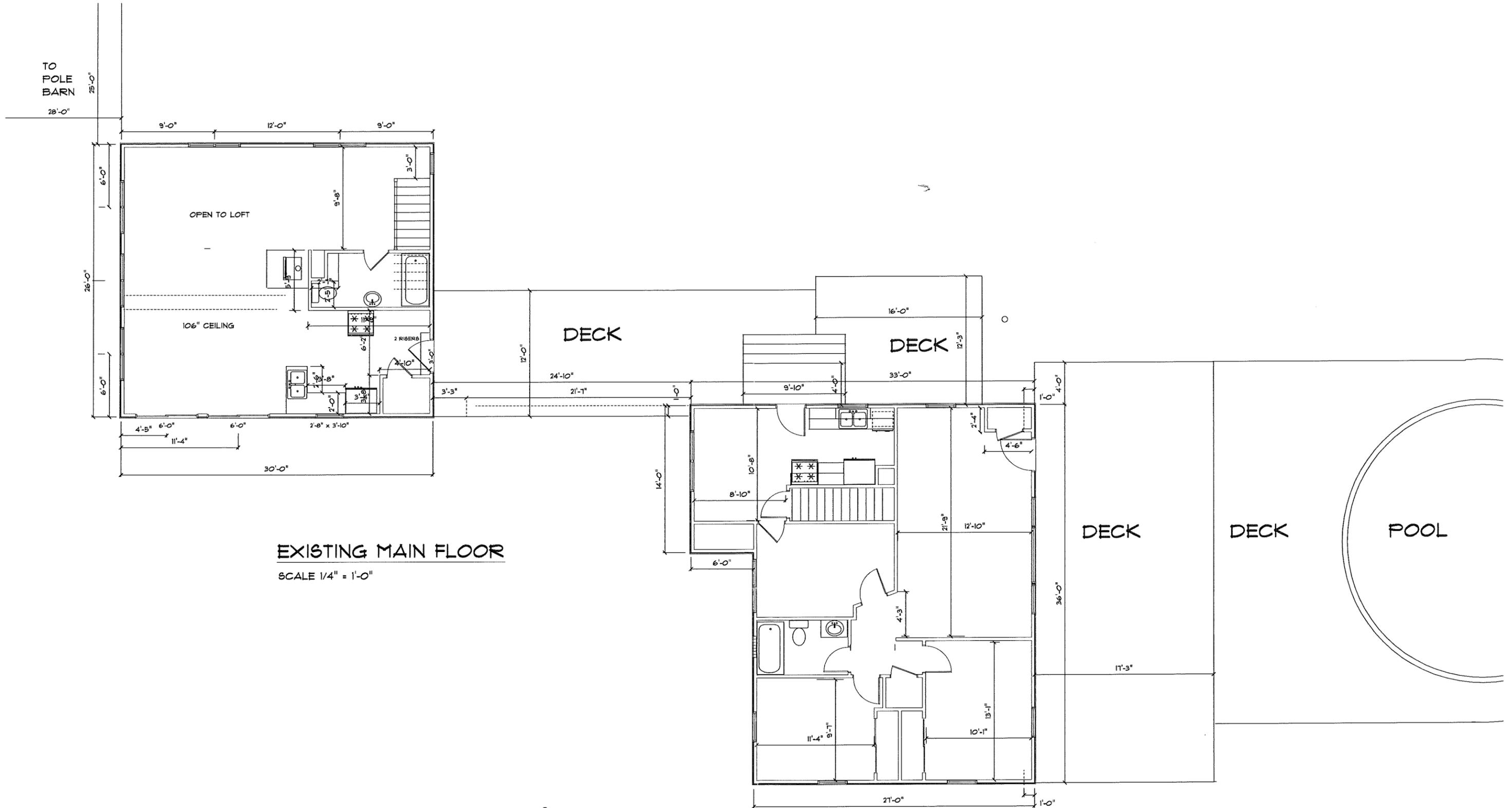
Tract A:

That part of the Southeast Quarter of Section 21, Township 28, Range 20, Washington County, Minnesota, described as follows, to wit: Commencing at the point of intersection of the centerline of State Trunk Highway Number 95 as now laid out and travelled and the East line of the Southeast Quarter of said Section 21, said point being 114.00 feet South of the Northeast corner of said Southeast Quarter; thence South 51 degrees 05 minutes West along the centerline of said State Trunk Highway Number 95 a distance of 1,171.62 feet; thence South 46 degrees 33 minutes 30 seconds West along said centerline a distance of 253.54 feet to the point of beginning of the land to be described; thence Southeast on a deflection angle to the left of 90 degrees 00 minutes a distance of 1000.00 feet, thence Southwest parallel with the centerline of said State Trunk Highway Number 95 a distance of 435.60 feet; thence Northwest on a deflection angle to the right of 90 degrees 00 minutes a distance of 1000.00 feet to the centerline of said State Trunk Highway Number 95; thence Northeast along said center line a distance of 435.60 feet to the point of beginning, except the following described tract:

Commencing at the point of intersection of the centerline of State Trunk Highway Number 95 as now laid out and travelled and the East line of the Southeast Quarter of said Section 21, said point being 114.00 feet South of the Northeast corner of said Southeast Quarter; thence South 51 degrees 05 minutes West along the centerline of said State Trunk Highway Number 95 a distance of 1,171.62 feet; thence South 46 degrees 33 minutes 30 seconds West along said centerline a distance of 330.54 feet to the point of beginning of the land to be described; thence Southeast on a deflection angle to the left of 90 degrees 00 minutes a distance of 500.00 feet; thence Southwest parallel with the centerline of said State Trunk Highway Number 95 a distance of 223.73 feet; thence Northwest on a deflection angle to the right of 90 degrees 00 minutes a distance of 300.00 feet; thence Northeast parallel with the centerline of said State Trunk Highway Number 95 a distance of 123.75 feet; thence Northwest on a deflection angle to the left a distance of 200.00 feet to the centerline of said State Trunk Highway Number 95; thence Northeast along said centerline a distance of 100.00 feet to the point of beginning.

Tract B:

All that part of the Southeast Quarter of Section 21, Township 28, Range 20, Washington County, Minnesota, described as follows, to-wit: Commencing at the point of intersection of the centerline of State Trunk Highway Number 95 as now laid out and travelled and the East line of the Southeast Quarter of said Section 21, said point being 114.00 feet South of the Northeast corner of said Southeast Quarter; thence South 51 degrees 05 minutes West along the centerline of said State Trunk Highway Number 95 a distance of 1,171.62 feet; thence South 46 degrees 33 minutes 30 seconds West along said centerline a distance of 330.54 feet to the point of beginning of the land to be described; thence Southeast on a deflection angle to the left of 90 degrees 00 minutes a distance of 500.00 feet; thence Southwest parallel with the centerline of said State Trunk Highway Number 95 a distance of 223.73 feet; thence Northwest on a deflection angle to the right of 90 degrees 00 minutes a distance of 300.00 feet; thence Northeast parallel with the centerline of said State Trunk Highway Number 95 a distance of 123.75 feet; thence Northwest on a deflection angle to the left a distance of 200.00 feet to the centerline of said State Trunk Highway Number 95; thence Northeast along said centerline a distance of 100.00 feet to the point of beginning.

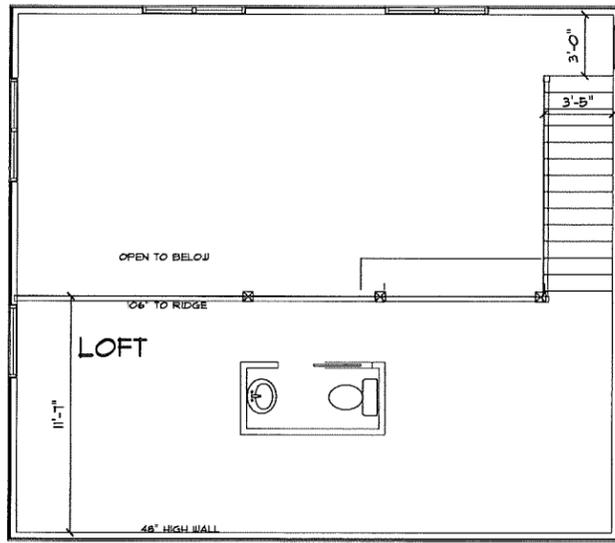


EXISTING MAIN FLOOR

SCALE 1/4" = 1'-0"

EXISTING DRAWINGS
 Jesse Wilcox
 14725 Aspen Blvd
 Afton, MN 55001

Craftsman Renovations

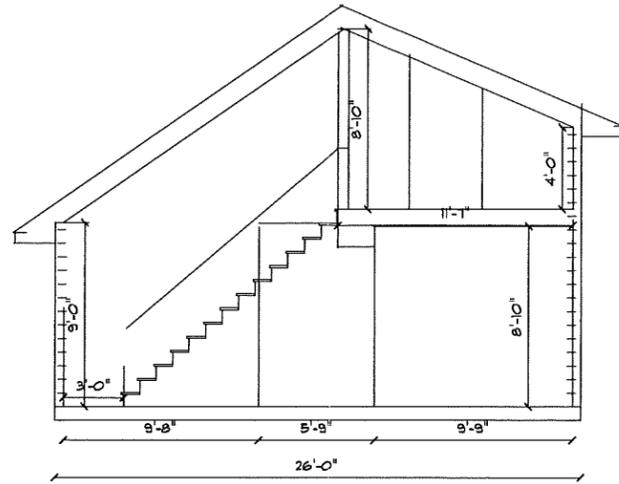


GUEST HOUSE
EXISTING SECOND FLOOR
 SCALE 1/4" = 1'-0"

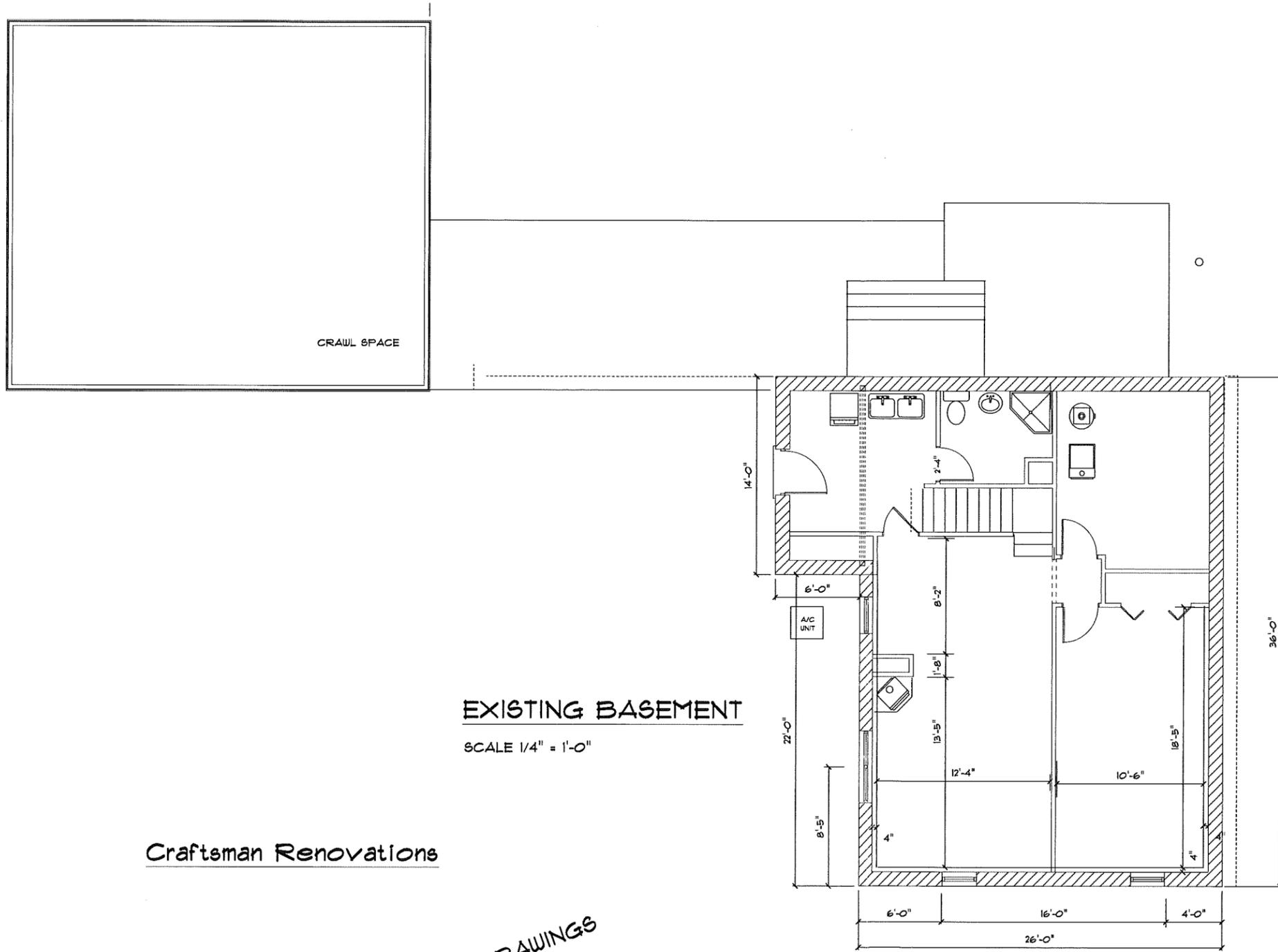
Craftsman Renovations

EXISTING DRAWINGS

Jesse Wilcox
 14725 Aspen Blvd
 Afton, MN 55001



GUEST HOUSE CROSS SECTION
 SCALE 1/4" = 1'-0"



EXISTING BASEMENT

SCALE 1/4" = 1'-0"

Craftsman Renovations

EXISTING DRAWINGS

Jesse Wilcox
 14725 Aspen Blvd
 Afton, MN 55001

<p>City of Afton 3033 St. Croix Trl, P.O. Box 219 Afton, MN 55001</p>
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Planning Commission Memo

Meeting: October 5, 2015

To: Chair Ronningen and members of the Planning Commission
 From: Ron Moorse, City Administrator
 Date: September 29, 2015
 Re: Gary Maas Application for a Minor Subdivision at 15990 32nd Street S.

Background

Gary Maas has applied for a minor subdivision to divide the existing 1.04 acre property into two 22,582 sq. ft. lots. There is an existing house on the southern portion of the existing property. The house will be on the proposed new southerly lot. The surveys showing the property before and after the subdivision are attached. Both parcels meet the requirements for a subdivision in the VHS-C zone.

Subdivision Requirements

12-132. Minimum Requirements

- A.1. Minimum lot area of 22,500 sq. ft.
- A.4. A minimum of 150 feet of frontage on a public street
- A.5. A minimum lot depth of 130 feet
- A.12. Maximum buildable slope of 12% for all structures

Sec. 12-1387 Lot Requirements

- A. Side lot lines shall be substantially at right angles to straight street lines

12-84. Driveway access permits and standards

- A. All lots or parcels shall have direct adequate access for emergency or public safety vehicles along the frontage of the lot or parcel from either an existing improved city street or an existing private road approved by the City. In addition to the required direct physical access, a lot or parcel may have a private easement access driveway to the lot over adjacent lots or parcels.

- D. Maximum Driveway Slope: 12%
 Side slopes: 4:1 and 3:1
 Maximum grade in r-o-w: 3%

Existing Easement

The City has acquired a 19 foot wide easement along the eastern side of the property for road, levee, stormwater and sanitary sewer purposes. The City and the property owner were unable to reach agreement on the value of the easement, so the value is being determined through a condemnation process. The easement is required mainly for excavation for stormwater and sanitary sewer lines, and to maintain a 15 foot clear zone along the toe of the levee. There will not be any permanent above-ground improvements in the easement area.

Additional Easements

Sec. 12-1384. Easements provides for the dedication of the following easements as part of a subdivision:

A. Provided for utilities. Easements of at least 20 feet wide, centered on rear and other lot lines as required, shall be provided for utilities where necessary as recommended by the City Engineer. Where underground utilities are being installed, a ten-foot wide front or side yard easement may be required.

B. Provided for drainage. Easements shall be provided along each side of the centerline of any watercourse or drainage channel, whether or not shown on the comprehensive plan, to a sufficient width to provide proper maintenance and protection and to provide for stormwater runoff and installation and maintenance of storm sewers.

C. Dedication. Utility and drainage easements shall be dedicated for the required use.

The City Engineer is recommending the dedication of drainage and utility easements along the perimeter of the property.

Park Dedication Fee

Section 12-1270 of the Zoning Code requires that the cash park dedication fee in lieu of land dedication shall be equivalent to 7.5 percent of the predevelopment value of the land to be subdivided, subject to a minimum fee of \$5,000 per dwelling unit and a maximum fee of \$10,000 per dwelling unit. Because the subdivision is creating one additional lot, the park dedication fee will be based on one lot.

Sewer Service

With the upcoming construction of the sanitary sewer system to serve the downtown area, the applicant is not required to demonstrate adequate septic system sites. The additional lot will be developed with municipal sewer service. The proposed conditions of the subdivision approval include the connection of each lot to the sewer system and an assessment waiver and agreement to pay the cost to hook up both lots to the sewer system.

Garage and Shed Encroachments onto the Subject Property.

During the survey work for the subdivision, it was discovered that the property on Afton Boulevard South directly west of the subject property has a garage that encroaches 0.4 feet onto the subject property, and the eave of the garage encroaches 1.4 feet. The applicant is proposing to grant a five foot wide easement for the garage, so that it will not be illegally encroaching on the property. There is also a shed that fully encroaches onto the property. The applicant will require the shed to be removed from the property.

Findings

The Planning Commission's recommendation should include findings that are the basis of the recommendation.

Conditions

If the Planning Commission recommends approval of the variance, it is recommended that the following conditions be placed on the approval.

1. Drainage and utility easements as recommended by the City Engineer shall be granted.
2. Park dedication requirements shall be satisfied prior to the recording of the subdivision, in accordance with Section 12-1270 of the Subdivision Ordinance.
3. The principal structure on each lot shall be connected to the City's sewer system when the system is available
4. The applicant shall sign an assessment waiver and agreement to pay the costs required to hook up both lots to the city sewer system.
5. A five foot wide easement for the encroaching garage shall be recorded prior to the recording of the subdivision
6. The shed that fully encroaches onto the property shall be removed.
7. A driveway permit is required for the construction of a driveway to serve the northerly lot.

Planning Commission Direction Requested:

Motion regarding the Gary Maas Application for a minor subdivision at 15990 32nd Street S. with conditions, if desired.

RECEIVED

SEP 24 2015

2-38-15

CITY OF AFTON

CITY OF AFTON
MINOR SUBDIVISION PERMIT APPLICATION

Owner	Address	City	State	Zip	Phone
GARY MAAS	16688 7 TH ST. S.	LAKELAND	MN.	55043	
Applicant (if different than owner)	Address	City	State	Zip	Phone
JOSEPH BUSH	1820 QUINLAN AVES.	LAKELAND			
Project Address					
LOTS 4-12 BLOCK 8, PLAT AFTON		AFTON	MN	55001	
Zoning Classification	Existing Use of Property	PID# or Legal Description			
Description of Request					
DIVIDE P.I.D. # 22.028.20.11.0007 INTO TWO RESIDENTIAL LOTS					
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.					
APPLICANT: <i>[Signature]</i> 9/21/15		OWNER: <i>[Signature]</i> 9/22/15			
Signature of Owner/Applicant		Date			
Make checks payable to City of Afton:					
FEES:		DEPOSITS:			
Minor Subdivision	\$250.00	Minor Subdivision	\$1,500.00	TOTAL:	\$1,750.00
				DATE PAID:	9/24/15
				CHECK #:	0938
				RECVD. BY:	<i>[Signature]</i>
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

WINDMILL MARINA ASSOC INC
or Current Resident
PO BOX 279
AFTON MN 55001-0279

GIULIANI ENTERPRISES LLC
or Current Resident
3751 VILLAGE CT
WOODBURY MN 55125

DICKINSON MARY J TRS
or Current Resident
15895 31ST ST S PO BOX 296
AFTON MN 55001

AFTON ST CROIX CO ETAL
or Current Resident
PO BOX 326
AFTON MN 55001-0326

DEMATTEO THOMAS D & DONNA M
or Current Resident
PO BOX 40
AFTON MN 55001

MAAS GARY
or Current Resident
16688 7TH ST S
LAKELAND MN 55043

LONE STAR ON SAINT CROIX LLC
or Current Resident
3321 ST CROIX TRL S
AFTON MN 55001

PETTIT BRUCE B & PATRICIA L
or Current Resident
3070 PIKE AVE S PO BOX 293
AFTON MN 55001

AFTON CARE ST CROIX LLC
or Current Resident
13115 50TH ST S
AFTON MN 55001

AMOTH GEORGE M
or Current Resident
PO BOX 373
AFTON MN 55001

DOHERTY TIMOTHY C & MONICA L
or Current Resident
15954 AFTON BLVD
AFTON MN 55001

ARMSTRONG CRAIG & DIANE
or Current Resident
3085 ST CROIX TRL S
AFTON MN 55001

BINDER MARK W
or Current Resident
3245 PENNINGTON AVE S
AFTON MN 55001

BIAGINI SUE E
or Current Resident
15904 AFTON BLVD S PO BOX 85
AFTON MN 55001

NELSON DEBORAH A
or Current Resident
25804 OLINDA TRL
LINDSTROM MN 55045

SNYDER DAVID K
or Current Resident
56 E BROADWAY AVE SUITE 206
FOREST LAKE MN 55025

AFTON MARINA & YACHT CLUB INC
or Current Resident
PO BOX 67
AFTON MN 55001-0067

NAUMAN DOROTHY M & RICHARD L
or Current Resident
1101 LECUYER CT
STILLWATER MN 55082

CASTELL MILLER CLAUDIA
or Current Resident
14933 AFTON BLVD S
AFTON MN 55001

DICKINSON DANIEL D
or Current Resident
PO BOX 296
AFTON MN 55001

HOFFMANN KEITH M & JUDITH M
or Current Resident
PO BOX 379
AFTON MN 55001-0379

CITY OF AFTON
or Current Resident
3033 ST CROIX TRL S PO BOX 219
AFTON MN 55001-0219

THOEMKE MICHAEL S & KATHRYN J
or Current Resident
PO BOX 334
AFTON MN 55001-0334

MEMORIAL EVANG CHURCH AFTON
or Current Resident
15730 AFTON BLVD S
AFTON MN 55001

BLOMGREN BERYL A TRS
or Current Resident
1230 N WESTERN AVE # 309
LAKE FOREST IL 60045

GUINDON THOMAS & AMY BRYNILDSON
or Current Resident
3222 ST CROIX TRL S
AFTON MN 55001

KALLSTROM ROBERT H
or Current Resident
PO BOX 52
AFTON MN 55001

AFTON MARKET SQUARE INC
or Current Resident
3121 ST CROIX TRL S
AFTON MN 55001

ANDERSON BARTON C & SUSAN R
or Current Resident
3167 PENNINGTON AVE S
AFTON MN 55001

BAGLIO WILLIAM J & LISA D
or Current Resident
PO BOX 336
AFTON MN 55001-0336

WASHINGTON COUNTY
or Current Resident
11660 MYERON RD N
STILLWATER MN 55082

BRASEL JEAN A & STEVE H
or Current Resident
3175 PERROT AVE S PO BOX 56
AFTON MN 55001

3877385



Receipt#: 184730

SCF \$46.00

CRV Not Required
Exempt from Tax

Certified Filed and/or recorded on:
3/02/2012 12:50 PM

3877385

Office of the County Recorder
Property Records & Taxpayer Services
Washington County, MN

Kevin J Corbid, County Recorder

Return to:
KELLY & LEMMONS PA
200 CROSSROADS
7300 HUDSON BOULEVARD
ST PAUL MN 55128

Office of County Recorder } SS
Washington County, Minnesota

I hereby certify that the within instrument was filed at this Office at Stillwater for record on the 2 day of March, A.D. 2012 at 12:50 o'clock P.M., and was duly recorded in Washington County Records. I have hereunto set my hand and affixed my official seal at Stillwater, in said county this 4 day of Sept, A.D. 2012.

JENNIFER WAGENIUS
County Recorder

By Jessie Munn Deputy

(Top 3 inches reserved for recording data)

SHERIFF'S CERTIFICATE OF SALE
Minn. Stat. 580.12, 580.025

Minnesota Uniform Conveyancing Blanks
Form 60.3.1 (2011)

DATE: March 2, 2012
(month/day/year)

William M. Hutton, Sheriff
(insert name of Sheriff)

of Washington County, Minnesota, certifies as follows:

Pursuant to the Notice of Mortgage Foreclosure Sale ("Notice"), and the power of sale contained in the Mortgage described below ("Mortgage"), I offered for sale and sold at public auction to the highest bidder at the time and place specified in the Notice the mortgaged premises described below:

INFORMATION REGARDING MORTGAGE FORECLOSED

1. Date of Mortgage: December 11, 2009
(month/day/year)

2. Mortgagors: GJ&M Development, Inc., a Minnesota corporation
(insert name of each Mortgagor named in the Mortgage)

3. Mortgagees: Gary Maas
(insert name of each Mortgagee named in the Mortgage)

4. Recording Information:
Recorded on December 16, 2009, as Document Number 3771703 (or in Book _____
(month/day/year)
of _____, Page _____), in the Office of the County Recorder Registrar of Titles of Washington
(check the applicable boxes)
County, Minnesota.

5. Assignments of Mortgage, if any:

Assigned to _____
(insert name of Assignee)
_____ by written assignment
recorded on _____, as Document Number _____ (or in Book _____
(month/day/year)
of _____, Page _____), in the recording office stated in paragraph 4.

Further assigned to _____
(insert name of Assignee)
_____ by written assignment
recorded on _____, as Document Number _____ (or in Book _____
(month/day/year)
of _____, Page _____), in the recording office stated in paragraph 4.

For additional assignments of Mortgage, provide the relevant information below.

INFORMATION REGARDING PROPERTY SOLD BY SHERIFF

6. Tax parcel identification number of the mortgaged premises: 22.28.20.11.0006 and 22.28.20.11.0007

7. Legal description:

Lots 4, 5 and 6, Block 8, Afton AND
Lots 7, 8, 9, 10, 11 and 12, Block 8, Afton

Check here if all or part of the described real property is Registered (Torrens)

8. The physical street address, city, and zip code of the mortgaged premises: 3185 St. Croix Trail South, Afton, MN 55001 and
15990 32nd Street, Afton, MN 55001

OTHER FORECLOSURE DATA

9. The person holding the Mortgage: *(check one)*

is a transaction agent, as defined by Minn. Stat. 58.02, subd. 30.

The name(s) of the transaction agent, residential mortgage servicer, and the lender or broker, as defined in Minn. Stat. 58.02, is/are

The transaction agent's mortgage identification number, if stated on the Mortgage, is _____

is not a transaction agent, as defined by Minn. Stat. 58.02, subd. 30.

The name(s) of the residential mortgage servicer and the lender or broker, as defined in Minn. Stat. 58.02, is/are Gary Maas

10. If stated on the Mortgage, the name of the mortgage originator, as defined in Minn. Stat. 58.02, is Gary Maas

INFORMATION REGARDING SALE

11. The sale was held on March 2, 2012, 10 : 00 a . m., at Washington County Sheriff's Office
(month/day/year) (insert location of sale)
15015 62nd Street North, Stillwater, MN 55082 and
the price paid was \$ 918,028.94. The interest rate in effect on the date of the sale was .012%.

12. The purchaser was Gary Maas

13. The sale was in all respects openly, honestly, fairly, and lawfully conducted.

14. The time allowed by law for redemption by Mortgagor or Mortgagor's personal representatives or assigns is 6 months
after the date of the sale.

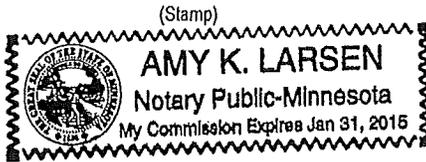
Name of Sheriff William M. Hutton

Sheriff of Washington County

By: [Signature]
Deputy

State of Minnesota, County of Washington

This instrument was acknowledged before me on March 2nd, 2012, by Patricia Gieshaber
(month/day/year)
Deputy



[Signature]
(signature of notarial officer)

Title (and Rank): Office Specialist

My commission expires: Jan. 31st 2015
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Kelly & Lemmons, P.A.
7300 Hudson Boulevard, Suite 200
Oakdale, MN 55128
(651) 224-3781

FOLLOWING THE EXPIRATION OF ALL REDEMPTION RIGHTS, TAX
STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS
INSTRUMENT SHOULD BE SENT TO:
(insert legal name and residential or business address)

Gary Maas
16687 7th Street North
Lakeland, MN 55043

NOTICE OF MORTGAGE FORECLOSURE SALE

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITORS WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

NOTICE IS HEREBY GIVEN, that default has occurred in the conditions of the following described Mortgage:

DATE OF MORTGAGE:	December 11, 2009
ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE:	\$775,000.00
MORTGAGORS:	GJ&M Development, Inc., a Minnesota corporation
MORTGAGEE:	Gary Maas
SERVICER:	N.A.
DATE AND PLACE OF REGISTERING:	Recorded December 16, 2009 Washington County Recorder as Document No. 3771703
LEGAL DESCRIPTION OF PROPERTY:	Lots 4, 5 and 6, Block 8, Afton and Lot 7, 8, 9, 10, 11 and 12, Block 8, Afton
ADDRESS OF PROPERTY:	3185 St Croix Trail North, Afton, MN 55001 15990 32 nd Street, Afton, MN 55001
TAX PARCEL NO.:	22.28.20.11.0006 and 22.28.20.11.0007
COUNTY IN WHICH PROPERTY IS LOCATED:	Washington
AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE, INCLUDING TAXES, IF ANY, PAID BY MORTGAGEE:	\$910,995.34

That prior to the commencement of this mortgage foreclosure proceeding Mortgagee complied with all notice requirements as required by Statute; that no action or proceeding has been instituted at law or otherwise to recover the debt secured by said Mortgage, or any part thereof;

Pursuant to the power of sale contained in said Mortgage, the above described property will be sold by the Sheriff of said County as follows:

DATE AND TIME OF SALE:	March 2, 2012 10:00 a.m.
PLACE OF SALE:	Washington County Sheriff's Office Law Enforcement Center 15015 62 nd Street North Stillwater, MN 55082

To pay the debt then secured by said Mortgage and taxes, if any, on said premises and the costs and disbursements, including attorney's fees allowed by the law, subject to redemption within 6 months from the date of sale by the Mortgagors, their personal representatives or assigns.

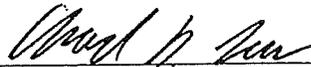
DATE TO VACATE PROPERTY: The date on or before which the Mortgagor must vacate the property if the mortgage is not reinstated under Minn. Stat. § 580.30 or the property redeemed under Minn. Stat. § 580.23 is **September 2, 2012** at 11:59 p.m. If the foregoing date is a Saturday, Sunday or legal holiday, then the date to vacate is the next business day at 11:59 p.m.

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES SECTION 582.032, DETERMINING AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN 5 UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Gary Maas, Mortgagee

KELLY & LEMMONS, P.A.



Chad D. Lemmons
Attorney for Mortgagee
7300 Hudson Boulevard North, Suite 200
St. Paul, MN 55128
(651) 224-3781
I.D. No: 125039

Dated this 17th day of January, 2012.

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA

COUNTY OF WASHINGTON

Foreclosure Notice

(Official Publication)

NOTICE OF MORTGAGE FORECLOSURE SALE

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITORS WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

NOTICE IS HEREBY GIVEN, that default has occurred in the conditions of the following described Mortgage:

DATE OF MORTGAGE: December 11, 2009

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$775,000.00

MORTGAGORS: GJ&M Development, Inc., a Minnesota corporation

MORTGAGEE: Gary Maas

SERVICER: N.A.

DATE AND PLACE OF REGISTERING: Recorded December 16, 2009
Washington County Recorder as Document No. 3771703

LEGAL DESCRIPTION OF PROPERTY:

Lots 4, 5 and 6, Block 8, Afton and
Lot 7, 8, 9, 10, 11 and 12, Block 8, Afton

ADDRESS OF PROPERTY:

3185 St Croix Trail North, Afton, MN 55001
15990 32nd Street, Afton, MN 55001

TAX PARCEL NO.: 22.28.20.11.0006 and 22.28.20.11.0007

COUNTY IN WHICH PROPERTY IS LOCATED: Washington

AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE,
INCLUDING TAXES, IF ANY, PAID BY MORTGAGEE: \$910,995.34

That prior to the commencement of this mortgage foreclosure proceeding Mortgagee complied with all notice requirements as required by Statute; that no action or proceeding has been instituted at law or otherwise to recover the debt secured by said Mortgage, or any part thereof;

Pursuant to the power of sale contained in said Mortgage, the above described property will be sold by the Sheriff of said County as follows:

DATE AND TIME OF SALE: March 2, 2012
10:00 a.m.

PLACE OF SALE: Washington County Sheriff's Office
Law Enforcement Center
15015 62nd Street North
Stillwater, MN 55082

To pay the debt then secured by said Mortgage and taxes, if any, on said premises and the costs and disbursements, including attorney's fees allowed by the law, subject to redemption within 6 months from the date of sale by the Mortgagors, their personal representatives or assigns.

DATE TO VACATE PROPERTY: The date on or before which the Mortgagor must vacate the property if the mortgage is not reinstated under Minn. Stat. § 580.30 or the property redeemed under Minn. Stat. § 580.23 is September 2, 2012 at 11:59 p.m. If the foregoing date is a Saturday, Sunday or legal holiday, then the date to vacate is the next business day at 11:59 p.m.

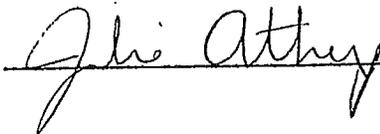
THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES SECTION 582.032, DETERMINING AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN 5 UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED

Julie Athey,
being duly sworn on oath, says: that she is,
and during all times herein states has been,
Clerk of Sun Newspapers
Publisher of the newspaper known as the
Stillwater Gazette, a newspaper of
general circulation within the City of
Stillwater and the County of Washington.

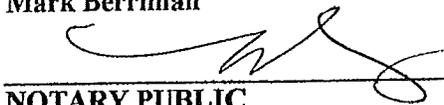
That the notice hereto attached was cut from
the columns of said newspaper and was
printed and published therein on the
following date(s):

19th, 26th of January 2012, 2nd, 9th,
16th & 23rd of February 2012
Newspaper Ref./Ad #1088918



Subscribed and sworn to before me this
23rd day of February 2012

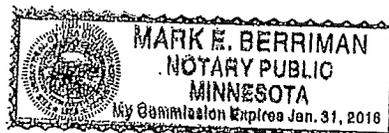
Mark Berriman



NOTARY PUBLIC

Washington County, Minnesota

My commission expires January 31, 2016



STATE OF MINNESOTA

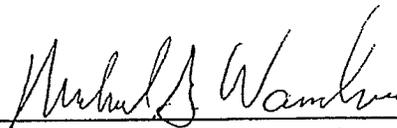
AFFIDAVIT OF SERVICE
UPON OCCUPANTS

COUNTY OF RAMSEY

METRO LEGAL SERVICES

Michael G. Wanschura, being duly sworn, on oath says that on January 31, 2012 he went upon the land and premises commonly known as 15990 32nd Street, Afton, County of Washington, State of Minnesota, and described in the attached Notice of Mortgage Foreclosure Sale; Help for Homeowners in Foreclosure; Separate Tract Designation Notice; What Happens After A Foreclosure Sale; Homestead Designation Notice; and Foreclosure Advice to Tenants with the intent of serving said Notice of Mortgage Foreclosure Sale; Help for Homeowners in Foreclosure; Separate Tract Designation Notice; What Happens After A Foreclosure Sale; Homestead Designation Notice; and Foreclosure Advice to Tenants on the person(s) in possession thereof; that on said day and for sometime prior thereto, said premises were and have been occupied by John Hartman, Brandon Zinschlag and no one else; that he served the attached by handing to and leaving with John Hartman personally one (1) true and correct copy thereof.

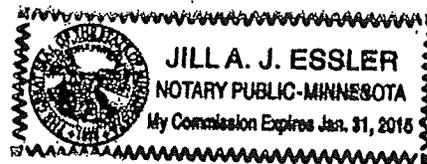
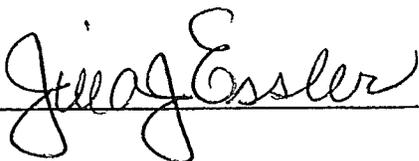
At the same time and place, he served the said Notice of Mortgage Foreclosure Sale; Help for Homeowners in Foreclosure; Separate Tract Designation Notice; What Happens After A Foreclosure Sale; Homestead Designation Notice; and Foreclosure Advice to Tenants upon Brandon Zinschlag by leaving one (1) true and correct copy (ies) thereof at the house of their usual abode with John Hartman, a person of suitable age and discretion residing therein.



Michael G. Wanschura

Subscribed and sworn to before me on

1-31, 2012



1562479-1

RE: Maas

STATE OF MINNESOTA

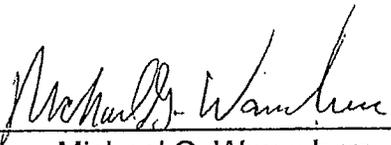
AFFIDAVIT OF SERVICE
UPON OCCUPANTS

COUNTY OF RAMSEY

METRO LEGAL SERVICES

Michael G. Wanschura, being duly sworn, on oath says that on January 31, 2012 he went upon the land and premises commonly known as 3185 St. Croix Trail South, Afton, County of Washington, State of Minnesota, and described in the attached Notice of Mortgage Foreclosure Sale; Help for Homeowners in Foreclosure; Separate Tract Designation Notice; What Happens After A Foreclosure Sale; Homestead Designation Notice; and Foreclosure Advice to Tenants with the intent of serving said Notice of Mortgage Foreclosure Sale; Help for Homeowners in Foreclosure; Separate Tract Designation Notice; What Happens After A Foreclosure Sale; Homestead Designation Notice; and Foreclosure Advice to Tenants on the person(s) in possession thereof; that on said day and for sometime prior thereto, said premises were and have been occupied by Nathan Remus, Dakota Remus and no one else; that he served the attached by handing to and leaving with Nathan Remus personally one (1) true and correct copy thereof.

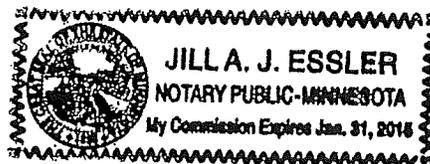
At the same time and place, he served the said Notice of Mortgage Foreclosure Sale; Help for Homeowners in Foreclosure; Separate Tract Designation Notice; What Happens After A Foreclosure Sale; Homestead Designation Notice; and Foreclosure Advice to Tenants upon Dakota Remus by leaving one (1) true and correct copy(ies) thereof at the house of their usual abode with Nathan Remus, a person of suitable age and discretion residing therein.



Michael G. Wanschura

Subscribed and sworn to before me on

1-31, 2012



1562479-2

RE: Maas

Help For Homeowners in Foreclosure

The attorney preparing this foreclosure is:

Chad D. Lemmons
Kelly & Lemmons, P.A.
7300 Hudson Boulevard, Suite 200
Oakdale, Minnesota 55128
(651) 224-3781

It is being prepared for:

Gary Maas
16688 Seventh Street South
Lakeland, MN 55043
(651) 698-2471

AS OF January 17, 2012, this lender says that you owe Seven Hundred Seventy Five Thousand and 00/100 Dollars (\$775,000.00) to bring your mortgage up to date (to "reinstate" your mortgage). You must pay this amount, plus interest and other costs, to keep your house from going through a Sheriff's sale. The Sheriff's sale is scheduled for March 2, 2012 at 10:00 a.m., at the Washington County Sheriff's Office: Law Enforcement Center, 15015 62nd Street North, Stillwater, MN 55082.

Mortgage foreclosure is a complex process. People may contact you with advice and offers to help "save" your home.

Remember: It is important that you learn as much as you can about foreclosure and your situation. Find out about all your options before you make any arrangements with anyone about the foreclosure of your home.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Getting Help

As soon as possible, you should contact your lender at the above number to talk about things you might be able to do to prevent foreclosure. You should also consider contacting the foreclosure prevention counselor in your area. A foreclosure prevention counselor can answer your questions, offer free advice, and help you create a plan which makes sense for your situation.

Contact the Minnesota Home Ownership Center at 651-659-9336, or 866-462-6466, or www.hocmn.org or contact the United States Department of Housing and Urban Development at 1-800-569-4287 or www.hud.gov to get the phone number and location of the nearest certified counseling organization. Call today. The longer you wait, the fewer options you may have for a desirable result.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

SEPARATE TRACT DESIGNATION NOTICE

IF THE PROPERTY TO BE SOLD CONTAINS SEPARATE TRACTS, YOU MAY REQUEST THAT THE TRACTS BE SOLD AND REDEEMED SEPARATELY. EACH OF THE SEPARATE TRACTS MUST CONFORM TO LOCAL ZONING ORDINANCES, MUST HAVE AN ENTRANCE BY DIRECT ACCESS TO A PUBLIC ROAD OR BY PERMANENT EASEMENT, AND MUST NOT UNREASONABLY AFFECT THE VALUE OF THE REMAINING PROPERTY.

YOU MUST PROVIDE THE PERSON FORECLOSING ON THE PROPERTY, THE SHERIFF, AND THE COUNTY RECORDER WITH A COPY OF THE LEGAL DESCRIPTIONS OF EACH OF THE TRACTS YOU HAVE DESIGNATED TO BE SOLD SEPARATELY BY TEN BUSINESS DAYS BEFORE THE DATE THE PROPERTY IS TO BE SOLD.

WHAT HAPPENS AFTER A FORECLOSURE SALE

After the sheriff's sale, you have the right to "redeem." Redeem means that you pay the amount bid for your house at the sheriff's sale, plus interest and costs, to keep your house. You can keep living in your home for a period of time after the foreclosure sale. This is called a "redemption period." The redemption period is six (6) months after the sheriff's sale.

At the end of the redemption period, if you do not redeem or sell, you will have to leave your home. If you do not leave, the person or company that bid on your home at the sheriff's sale has the right to file an eviction action against you in court.

Be Careful of Foreclosure Scams

Be careful! After the foreclosure sale, people may approach you to buy your house or ask you to transfer your house to them for little or no money.

Before you give up the rights to your house or sign any documents (including a deed), be sure you know how much the house sold for at the sheriff's sale and decide if you can save the house by paying the amount of the bid, plus interest and costs.

How to Find Out How Much Your House Sold For at the Foreclosure Sale.

The amount you need to pay to redeem your house may be less than the amount you owed on the mortgage before the sale. You can learn what this amount is (and who the winning bidder at the sale was) by attending the sheriff's sale or by contacting the sheriff's office after the sale.

You Can Also Sell Your House

During the redemption period, if you sell your home, you must sell it for enough to pay off the winning bidder from the sheriff's sale and pay interest, fees, and other claims against the property. If there is any money left from the sale of the house after all these debts are paid, you can keep the money. You can also enter a "short sale." A short sale is an agreement in which the lender agrees to accept less than the full amount you own on the mortgage.

Get More Information and Advice

For more information and advice, contact an attorney or a mortgage foreclosure prevention counselor. You can find a mortgage foreclosure prevention counselor by contacting the Minnesota Home Ownership Center at 651-659-9336 or 866-462-6466 or www.hocmn.org or contact the United States Department of Housing and Urban Development at 1-800-569-4287 or www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm?webListAction=search=MN#searchArea to get the phone number and location of the nearest certified counseling organization.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

HOMESTEAD DESIGNATION NOTICE

Dated: January 17, 2012

THIS NOTICE is attached to, and served with, the Notice of Mortgage Foreclosure Sale of that certain mortgage executed by GJ&M Development, LLC, a Minnesota corporation, as mortgagor, in favor of Gary Maas, as mortgagee, dated December 14, 2009, and recorded on December 16, 2009, as Document No. 3771703, in the Office of the County Recorder in and for Washington County, Minnesota (collectively, "Mortgage").

In accordance with Minn. Stat. § 582.041, you are notified by the foreclosing mortgagee that:

IF PART OF THE PROPERTY TO BE SOLD CONTAINS YOUR HOUSE, YOU MAY DESIGNATE AN AREA AS A HOMESTEAD TO BE SOLD AND REDEEMED SEPARATELY.

YOU MAY DESIGNATE THE HOUSE YOU OCCUPY AND ANY AMOUNT OF THE PROPERTY AS A HOMESTEAD. THE DESIGNATED HOMESTEAD PROPERTY MUST CONFORM TO THE LOCAL ZONING ORDINANCES AND BE COMPACT SO THAT IT DOES NOT INREASONABLY REDUCE THE VALUE OF THE REMAINING PROPERTY.

YOU MUST PROVIDE THE PERSON FORECLOSING ON THE PROPERTY, THE SHERIFF AND THE COUNTY RECORDER WITH A COPY OF THE LEGAL DESCRIPTION OF THE HOMESTEAD YOU HAVE DESIGNATED BY TEN (10) BUSINESS DAYS BEFORE THE DATE THE PROPERTY IS TO BE SOLD.

FORECLOSURE: ADVICE TO TENANTS

You are renting in a property that is in foreclosure. Minnesota law requires that we send you this notice about the foreclosure process. Please read it carefully.

The mortgage foreclosure does not change the terms of your lease. You and your landlord must continue to follow the terms of your lease, including the rights and responsibilities of you and your landlord. You must keep paying rent unless you have a legal reason to withhold it. Your landlord must keep the property repaired. Utilities must be paid under the terms of your lease or under state law.

Moving out of the property early might be a violation of your lease. The date of the sheriff's foreclosure sale is in the attached foreclosure notice. In most cases you do not need to move from the property before the sheriff's foreclosure sale. Read your lease to see if it says anything about foreclosure and about the rights you may have if the property is in foreclosure. If you have a month-to-month lease, the foreclosure notice does not change the rules for ending your lease. You and your landlord must still give legal notice to end your lease.

In most cases, your landlord has six months after the date of the sheriff's foreclosure sale to pay off the mortgage. This is called the "redemption period." Read the attached foreclosure notice to determine the length of the redemption period. You cannot be asked to move during the redemption period except for lease violations or if your lease expires during the redemption period. If your landlord stops the foreclosure, you may not have to move from the property. If your landlord does not stop the foreclosure, there will be a new owner of the property at the end of the redemption period.

The new owner may have the legal right to ask you to move even if your lease is not over. But, the new owner must still give you a written notice stating that the new owner wants you to move.

Do not wait to get information about foreclosure. Mortgage foreclosure is a complicated process. It is important you learn about your rights as a renter when there is a mortgage foreclosure. You may have fewer options if you wait too long. There are government agencies and nonprofit organizations that you may contact for helpful information about the foreclosure process. For the name and telephone number of the organization near you, please call the legal aid office or bar association office in your county. You also can find information on tenant rights at

HOME line at (866) 866-3546 and Law Help Minnesota at <http://www.LawHelpMN.org>. The State of Minnesota does not guarantee the advice of these agencies and organizations.

AFFIDAVIT OF COSTS AND DISBURSEMENTS

STATE OF MINNESOTA)
)ss.
COUNTY OF WASHINGTON)

I, CHAD D. LEMMONS, being duly sworn on oath, say that I am an attorney foreclosing the assessment lien described in the Notice of Mortgage Foreclosure Sale which is attached hereto.

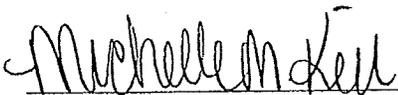
The following is a detailed bill of the costs and disbursements of the foreclosure that have been absolutely and unconditionally paid or incurred.

Attorney's Fees for Foreclosure	\$5,630.00
Fees for Filing Notice of Pendency Proceeding and Power of Attorney to Foreclose Mortgage, Sheriff's Certificate of Sale and Other Documents	\$46.00
Purchase Fee for Publishing Notice of Mortgage Foreclosure Sale	\$761.10
Cost of Service	\$122.00
Sheriff's Fee for Conducting Foreclosure Sale	\$65.00
TOTAL	<u>\$6,624.10</u>

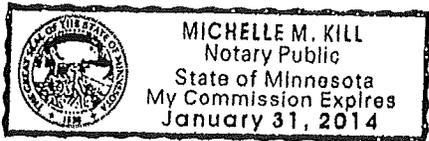


Chad D. Lemmons

Subscribed and sworn to before me
this 19th day of March, 2012.



Notary Public



AFFIDAVIT REGARDING COMPLIANCE WITH APPLICABLE LAW

Minn. Stat. 580.15(6)

State of Minnesota, County of WashingtonChad D. Lemmons ("Affiant"),

being duly sworn, on oath, states that:

1. I am the person foreclosing the Mortgage described in the Sheriff's Certificate of Sale, that person's attorney, or otherwise have full knowledge of the facts stated in this Affidavit.

2. I know the following facts relating to the mortgaged premises described in the Sheriff's Certificate of Sale ("Premises").

3. **Agricultural Premises.** The Premises are:

- (check only one box)
- agricultural property subject to Minn. Stat. 583.20 to 583.32 and consist of separate tracts. Accordingly, Minn. Stat. 582.039 and 582.042 are applicable to these foreclosure proceedings.
 - agricultural property subject to Minn. Stat. 583.20 to 583.32 and consist of only a single tract. Accordingly, Minn. Stat. 582.039 is applicable to these foreclosure proceedings.
 - agricultural property consisting of separate tracts but are not subject to Minn. Stat. 583.20 to 583.32. Accordingly, Minn. Stat. 582.042 is applicable to these foreclosure proceedings.
 - not agricultural property. Accordingly, Minn. Stat. 582.039 and 582.042 are not applicable to these foreclosure proceedings.

4. **Owner Occupied Premises.** The Premises:

- (check only one box)
- consist of a single dwelling unit that is the mortgagor's principal place of residency when the notice of pendency under Minn. Stat. 580.032 or the lis pendens for a foreclosure under Minn. Stat. Chapter 581 (as applicable) was recorded. Accordingly, Minn. Stat. 580.021, 580.04(b), and 580.041 are applicable to these foreclosure proceedings.
 - consist of two to four family dwelling units, one of which the mortgagor occupied as the mortgagor's principal place of residency when the notice of pendency under Minn. Stat. 580.032 or the lis pendens for a foreclosure under Minn. Stat. Chapter 581 (as applicable) was recorded. Accordingly, Minn. Stat. 580.021 and 580.041 are applicable to these foreclosure proceedings.
 - do not consist of one to four family dwelling units, one of which the mortgagor occupied as the mortgagor's principal place of residency when the notice of pendency under Minn. Stat. 580.032 or the lis pendens for a foreclosure under Minn. Stat. Chapter 581 (as applicable) was recorded. Accordingly, Minn. Stat. 580.021, 580.04(b), 580.041 are not applicable to these foreclosure proceedings.

5. **Premises Occupied by Residential Tenants.** The Premises:

- (check only one box)
- consist of one to four family dwelling units, one or more of which is occupied by a tenant as a residence. Accordingly, Minn. Stat. 580.042 is applicable to these foreclosure proceedings.
 - do not consist of one to four family dwelling units, one or more of which is occupied by a tenant as a residence. Accordingly, Minn. Stat. 580.042 is not applicable to these foreclosure proceedings.

6. Homestead Premises. The Premises:

- (check only one box)
- contain a portion of a homestead. Accordingly, Minn. Stat. 582.041 is applicable to these foreclosure proceedings.
 - do not contain a homestead. Accordingly, Minn. Stat. 582.041 is not applicable to these foreclosure proceedings.

7. Certain Abandoned Premises. The Premises are:

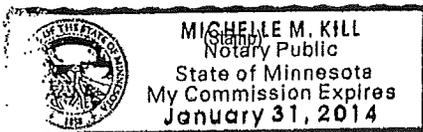
- (check only one box)
- described in Minn. Stat. 582.032, subd. 1. Accordingly, Minn. Stat. 580.04(c) is applicable to these foreclosure proceedings.
 - not described in Minn. Stat. 582.032, subd. 1. Accordingly, Minn. Stat. 580.04(c) is not applicable to these foreclosure proceedings.

8. All notices required under those statutes described above as being applicable to these foreclosure proceedings have been provided in accordance with applicable law.

Affiant

Chad D. Lemmons
 (signature) Chad D. Lemmons

Signed and sworn to before me on March 1, 2012, by Chad D. Lemmons
(month/day/year) (insert name of Affiant)



Michelle M. Kill
 (signature of notarial officer)
 Title (and Rank): _____
 My commission expires: 1/31/2014
(month/day/year)

3519926

3529185

4031045

CERTIFICATE OF SURVEY

Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 8, AFTON, City of Afton, Washington County, Minnesota

**Boundary and Topography Survey,
Proposed Minor Subdivision
Prepared for:**

Survey Report: The purpose of this survey is for a proposed Minor Subdivision of the parcel of land encompassing Lots 7, 8, 9, 10, 11 and 12, Block 8, AFTON.

A Certificate of Survey and related letter by Bruce A. Folz, Minnesota Land Surveyor License Number 9232, dated April 25, 1978, on file at the Washington County Surveyors Office, record number 01071, along with other found monuments is the basis for the boundaries shown hereon.

PID: 22.028.20.11.0006 - Existing Parcel C
PID: 22.028.20.11.0007 - Existing Parcel D

Zoning Classification per Zoning Map, Map 11: VHS-C

Gary R. Maas
16688 7th Street South
Lakeland, Minnesota 55043

PARCEL DESCRIPTIONS

PROPOSED PARCEL A

Lot 10, Lot 11 and Lot 12, Block 8, AFTON, Washington County, Minnesota.

PROPOSED PARCEL B

Lot 7, Lot 8 and Lot 9, Block 8, AFTON, Washington County, Minnesota.

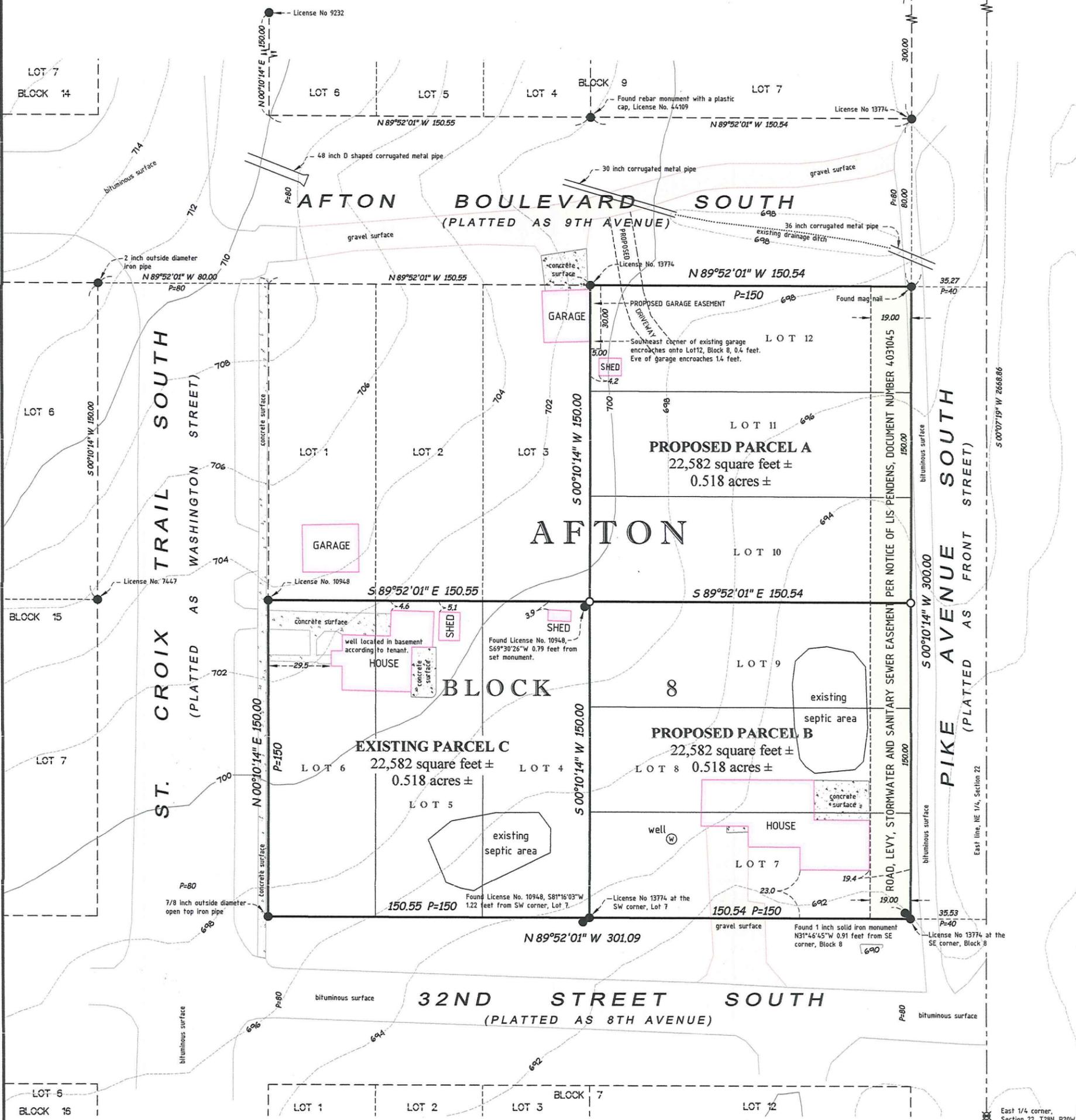
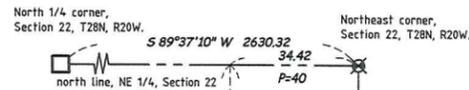
EXISTING PARCEL C

Lots 4, 5 and 6, Block 8, Afton, Washington County, Minnesota.

PROPOSED GARAGE EASEMENT

The north 30.00 feet of the west 5.00 feet of Lot 12, Block 8, AFTON, Washington County, Minnesota.

Legend	
<ul style="list-style-type: none"> ○ Denotes set 1/2 inch inside diameter iron pipe, 18 inches long, with a plastic cap inscribed HORAK LS 52577. ● Denotes found 7/8 inch outside diameter iron pipe monument with a plastic cap, License No. as noted, unless otherwise noted. ⊕ Denotes Washington County cast iron monument. □ Denotes stone monument. 	<ul style="list-style-type: none"> P= Refers to recorded distances on the plat of AFTON, on file and of record in the Office of the County Recorder, Washington County, Minnesota. Distances are in feet and decimals of a foot. Bearings are based on the Washington County Coordinate System, NAD 83, 1986 Adjustment. Elevations are in feet and based on the National Geodetic Vertical Datum of 1988. Contours are at two foot intervals and are based on field measurements and data published by the Minnesota Department of Natural Resources.



OFFICIAL COPIES OF THIS MAP ARE CRIMP SEALED

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.

Landmark Surveying, Inc.

September 22, 2015

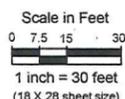
Milo B. Horak Minnesota License No. 52577

Date



Landmark Surveying, Inc.

21090 Olinda Trail North, Suite B Office number: 651-433-3421
P.O. Box 65 Cell number: 651-755-5760
Scandia, Minnesota 55073 E-mail: inthefield@frontiernet.net



CERTIFICATE OF SURVEY

Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 8, AFTON,
City of Afton, Washington County, Minnesota

PID: 22.028.20.11.0006 - Existing Parcel C
PID: 22.028.20.11.0007 - Existing Parcel D

Zoning Classification per Zoning Map, Map 11: VHS-C

**Boundary and Topography Survey,
Existing Conditions**
Prepared for:

Gary R. Maas
16688 7th Street South
Lakeland, Minnesota 55043

Survey Report: The purpose of this survey is to document existing conditions in part of Block 8 of AFTON, for a proposed Minor Subdivision of Lots 7, 8, 9, 10, 11 and 12, Block 8. Sheriff's Certificate of Sale, Document Number 3877385, references Lots 4, 5, and 6, Block 8, (shown hereon as Existing Parcel C) along with Lots 7, 8, 9, 10, 11 and 12, Block 8, (shown hereon as Existing Parcel D). Washington County taxation records along with Warranty Deed, Document No. 3519926 and Warranty Deed, Document No. 3529185 indicate Existing Parcel C and Existing Parcel D, as shown hereon, are two separate parcels of record that were described on one document.

A Certificate of Survey and related letter by Bruce A. Folz, Minnesota Land Surveyor License Number 9232, dated April 25, 1978, on file at the Washington County Surveyors Office, record number 01071, along with other found monuments is the basis for the boundaries shown hereon.

Land Description:
SHERIFF'S CERTIFICATE OF SALE
Document No. 3877385

LEGAL DESCRIPTION OF PROPERTY:

Lots 4, 5 and 6, Block 8, Afton and
Lot 7, 8, 9, 10, 11 and 12, Block 8, Afton

Land Descriptions of Record:

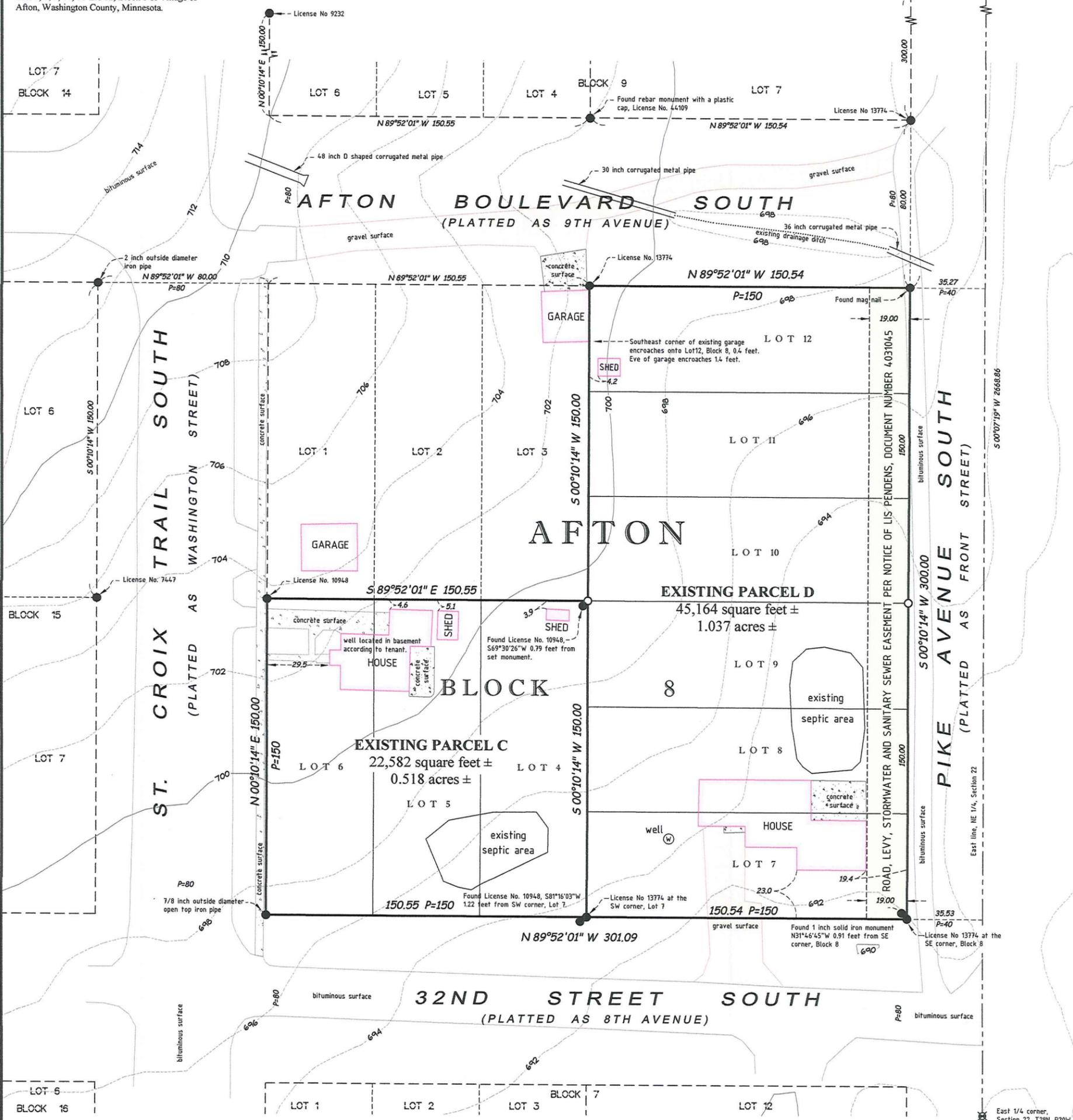
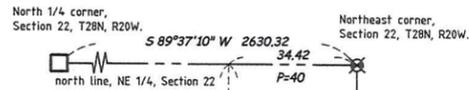
EXISTING PARCEL C
Warranty Deed, Document No. 3519926

Exhibit A
Lots 4, 5 and 6, Block 8, Afton, Washington County,
Minnesota

EXISTING PARCEL D
Warranty Deed, Document No. 3529185

Lots 7, 8, 9, 10, 11 and 12, Block 8 of Village of
Afton, Washington County, Minnesota.

Legend	
<ul style="list-style-type: none"> ○ Denotes set 1/2 inch inside diameter iron pipe, 18 inches long, with a plastic cap inscribed HORAK LS 52577. ● Denotes found 7/8 inch outside diameter iron pipe monument with a plastic cap, License No. as noted, unless otherwise noted. ⊕ Denotes Washington County cast iron monument. □ Denotes stone monument. 	<ul style="list-style-type: none"> P_r Refers to recorded distances on the plat of AFTON, on file and of record in the Office of the County Recorder, Washington County, Minnesota. Distances are in feet and decimals of a foot. Bearings are based on the Washington County Coordinate System, NAD 83, 1985 Adjustment. Elevations are in feet and based on the National Geodetic Vertical Datum of 1988. Contours are at two foot intervals and are based on field measurements and data published by the Minnesota Department of Natural Resources.



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Landmark Surveying, Inc.

September 22, 2015

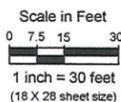
Milo B. Horak Minnesota License No. 52577

Date



Landmark Surveying, Inc.

21090 Olinda Trail North, Suite B Office number: 651-433-3421
P.O. Box 65 Cell number: 651-755-5760
Scandia, Minnesota 55073 E-mail: inthefield@frontiernet.net



City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: October 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moore, City Administrator
Date: September 24, 2015
Re: Washington County Septic Ordinance Update – Land Application of Septage

Background

Rather than having its own subsurface sewage treatment system (private septic system) ordinance, the City adopts the County's septic ordinance. In April of 2015, Washington County approved an updated septic ordinance. The County's updated ordinance includes new language regarding the land application of septage.

Septage is defined as "...solids and liquids removed from an SSTS and includes solids and liquids from cesspools, seepage pits, other pits, or similar systems or devices that receive sewage. Septage also includes solids and liquids that are removed from portable, incinerating, composting, holding, or other types of toilets. Waste from Type III marine sanitation devices, as defined in Code of Federal Regulations, title 33, section 159.3, and material that has come into contact with untreated sewage within the past 12 months is also considered septage."

The former septic ordinance did not specifically address the land application of septage. The updated ordinance allows it within a set of standards. The ordinance language regarding land application of septage is attached.

Septage is most commonly hauled to a sewage treatment system and pumped into the system. Land application of septage provides another method of treatment. The land application of septage is supported by septic pumpers and some of their customers because the land application option is less costly than hauling and disposing of septage at the Pig's Eye treatment plant.

A representative of the Washington County Public Health Department has indicated that approximately 3% of the land in Washington County is suitable for land application. The land application permitting process includes a determination regarding the suitability of the land. In addition, the updated ordinance requires that, prior to approval of a land application permit, documentation from the local unit of government indicating the proposed activity is allowed must be provided.

Discussion

Since land spreading of septage has not specifically been allowed under the County's septic ordinance in the past, Afton has not made a determination regarding whether to allow land spreading of septage. The City Council has referred this issue to the Planning Commission for review and recommendation.

The City of Cottage Grove has recently adopted an ordinance prohibiting the land application of septage. One reason for the prohibition is that Cottage Grove has had past issues with Perfluorochemicals (PFCs) contamination. One source of the contamination may have been the land spreading of sewage

sludge. In addition, the County ordinance does not include regulations restricting the locations from which the septage can be hauled. Cottage Grove did not want to become the main disposal site for septage. A copy of the Cottage Grove staff report regarding the prohibition is attached.

Planning Commission Direction Requested:

Motion regarding the land spreading of septage.

SECTION 23 LAND APPLICATION OF SEPTAGE

23.1 Allowed Septage Application

This section applies to land application domestic septage only.

23.2 Permits and Licenses Required

- (1) A Permit from this Department is required for each parcel of land to which septage is applied.
- (2) Land spreading must be conducted by a licensed maintainer business.

23.3 Permit Application

- (1) An application for a Permit to land apply septage on a specific parcel of land shall made to the Department on forms provided by the Department. At a minimum the application must contain the following information: The geocode for the proposed receiving site;
- (2) The name and address of the landowner;
- (3) A signed copy of the agreement with the landowner for land application on the specified parcel of land;
- (4) A map to scale of the parcel showing the exact location within the parcel where land application is being proposed;
- (5) Soils information at each land application site. Soil information shall include soil observation logs and a soil survey map of each site;
- (6) Information regarding the nutrient suitability for land application of the proposed site, including current soil nutrient levels and proposed nutrient loading rates;
- (7) Information regarding the drainage, slope, absorption rates, and separation distance from saturated soil conditions, bedrock, or other restrictive layer of the proposed site.
- (8) The proposed application rates, volumes of septage to be applied, method of application, incorporation, date(s) of application and limiting conditions to application;
- (9) The cover crop and/or proposed cropping information;
- (10) A description of the pathogen and vector control methods to be used;
- (11) A description of how public access to the site will be controlled;
- (12) Documentation from the local unit of government indicating that the proposed activity is allowed.

23.4 Duration of Permit

A Permit shall be valid for a period of no longer than two years from the date of issuance.

23.5 Maximum Volume

The maximum volume of septage that can be applied to each acre of land in each land application site must be determined using the following equation:

$$AAR = N / 0.0026$$

Where:

AAR = Annual Application Rate in gallons per acre per 365 days

N = amount of Nitrogen in pounds per acre per 365 days needed by the crop or vegetation to be grown on the land

The maximum allowable volume of domestic septage shall also take into account any nitrogen fertilizer applied in association with the septage.

23.6 Requirements for Land Application Sites

To be approved as a site for land application of domestic septage, the following minimum requirements must be met:

- (1) The site shall:
 - (A) Be a non-public site;
 - (B) Not be in a shoreland area;
 - (C) Be located in an Agricultural Zoning District. No land application is allowed in residential, institutional or commercial/industrial zones;
 - (D) Contain soils that are not rapidly permeable at the application depth;
 - (E) Not be located in a floodway or floodplain;
 - (F) Not contain slopes greater than 12 percent; and
 - (G) Not be classified as Very High Sensitivity or High Sensitivity of groundwater pollution according to the “Prairie du-Chien-Jordan Aquifer” map (Plate 6) of the Geologic Atlas of Washington County (1990), developed by the Minnesota Geologic Survey of the University of Minnesota. The Geologic Atlas of Washington County (1990) is incorporated by reference, and is not subject to frequent change.
- (2) Unless limed, septage shall either be injected or incorporated within six hours of surface application to a minimum depth of six inches. No significant amount of septage shall be present at the land surface after septage is injected or incorporated.
- (3) Be protected from unauthorized access.
- (4) Septage shall not be applied such that ponding or runoff occurs.
- (5) Septage must not be applied unless the soil has dried adequately from previous applications or rainfall so that ponding does not occur.
- (6) Septage shall not be applied by spray irrigation or other methods that will cause aerosols to drift from the application site.

23.7 Soil Suitability

For the land application site to be suitable, the soil on the site must meet the following requirements:

- (1) Have medium or fine surface textures with a soil hydraulic loading rate less than or equal to 0.78 gpd/ft² (percolation rate slower than 5 minutes per inch). Land application must not be performed on sand or peat surface textures;
- (2) Have a three foot vertical separation from the application depth to saturated soil conditions or bedrock;
- (3) Have six inches of available water holding capacity between the application depth and saturated soil conditions or bedrock;
- (4) Have at least one horizon in the upper five feet that has a soil hydraulic loading rate less than 0.6 or fine sand (percolation rate slower than 10 minutes per inch) .

Table X

Daily surface application rates of domestic septage on non-frozen, non-snow covered sites	
Soil Texture	Maximum Daily Application Rates – Gallons/Acre/Day
Coarse Sand, Sand, Loamy Coarse Sand	0
Fine Sand, Very Fine Sand, Loamy Sand, Loamy Fine Sand, Loamy Very Fine Sand	10,000
Sandy Loam, Coarse Sandy Loam, Fine Sandy Loam, Very Fine Sandy Loam. Loam, Silt Loam, Silt	10,000
Sandy Clay Loam, Clay Loam, Silty Clay Loam, Sandy Clay,	10,000
Silty Clay, Clay	0

23.8 Required Application Methods

- (1) Land application methods must comply with Code of Federal Regulations (CFR) 40, Part 503 for pathogen reduction, vector attraction, and for maximum volume of septage that may be applied to any site during a 365 day period.
- (2) When soils are snow covered or frozen, the application rate is limited to 10,000 gallons per acre or less, and application is only allowed on slopes of 2 percent or less. Each area of the site may only be covered once.
- (3) Septage must not be applied on areas with ponding water.
- (4) Land application sites shall not be used for crops for direct human consumption unless the waiting periods on Table XI below are followed:

Table XI

Restricted Activity	Waiting Period
Food crops whose harvested part may touch the soil/septage (melons, squash, tomatoes, etc.)	14 months
Food crops with harvested parts below the surface (potatoes, carrots, etc.)	38 months
Feed, food, or fiber crops that do not touch the soil surface (field corn, sweet corn, hay, flax, etc.)	30 days
Turf harvest	1 year
Grazing of animals	30 days
Public access to land	
High potential for exposure	1 year
Low potential for exposure	30 days

23.9 Slope Restrictions

Slope	Surface Application	Incorporated within 48 hours	Frozen Soil	Injected
<2%	Allowed	Allowed	Allowed	Allowed
2-6%	Allowed	Allowed	Not Allowed	Allowed
6-12%	Not Allowed	Allowed	Not Allowed	Allowed
>12%	Not Allowed	Not Allowed	Not Allowed	Conditionally Allowed*

*The Department may approve land application of domestic septage through injection on sites previously used for crop production with slopes exceeding twelve percent (12%) on a case-by case basis. The Department may impose any conditions necessary to protect public health, public safety and the environment.

23.10 Setback Requirements

Table XII

Setbacks to Physical Features				
		Setback Distances in Feet		
		Surface Application	Incorporated within 48 hours	Injected
Private drinking water well		200		
Public drinking water well*		1000		
Irrigation well		50	25	25
Occupied building (residences)		200	200	100
Residential developments		600	600	300
Commercial subdivision		600	600	300
Recreation area		600	600	300
Public contact sites		600	600	300
Property line		50	50	50
Road right-of-way		50	50	50
Down gradient lakes, rivers, streams, wetlands, intermittent streams, or tile inlets connected to these surface water features**, and sinkholes	Slope 0 % to 6 %	200	50	50
	Slope 6 % to 12 %	Not Allowed	100	100
	Winter (0 % to 2 %)	600	Not Applicable	Not Applicable
Grassed Water Ways***	Slope 0 % to 6 %	100	33	33
	Slope 6 % to 12 %	Not Allowed	33	33
Shoreland Area		Not Allowed	Not Allowed	Not Allowed

*There may be special requirements if the land application site is within a wellhead protection area.

**Intermittent stream means a drainage channel with definable banks that provides for runoff flow to any of the surface waters listed in the above table during snow melt or rainfall events.

***Grassed waterways are natural or constructed and seeded to grass as protection against erosion. Separation distances are from the centerline of grassed waterways. For a grassed waterway which is wider than the separation distances required, application is allowed to the edge of the grass strip.

23.11 Reporting Requirements

The permittee must submit to the Department an annual report. The reporting year will run from September 1 of each year through August 31 of the following year. Such report shall be submitted to the Department no later than November 1 of each year. The following information is required to be included in the report:

- (1) Daily land application activities, including, but not limited to:
 - (A) Each site where septage was applied, the date of application, permit number for the site, and Geocode of the site;
 - (B) The exact location on the site septage was applied, and the number of acres which received septage;
 - (C) The total volume of septage applied to each land application site;
 - (D) The method of application used for each land application site;
 - (E) Vector attraction reduction and pathogen reduction method used. If lime stabilization is used, records must indicate the pH of each load;
 - (F) A description of any additional management practices and site restrictions that were used.
- (2) Any other analysis of information as required by the Department in the Permit.



TO: Honorable Mayor and City Council
Ryan Schroeder, City Administrator

FROM: John McCool, Senior Planner

DATE: March 26, 2015

RE: Proposed City Code Amendment – Subsurface Sewage Treatment Systems (SSTS)

Proposal

Proposed amendments to Title 4, Chapter 1, Section 3; Nuisances Affecting Health and Title 8, Chapter 2; Individual Sewage Treatment System of the City Codes for purposes of prohibiting land spreading of septage on land within Cottage Grove’s municipal boundaries.

“Septage” is defined as “solids and liquids removed from an SSTS and includes solids and liquids from cesspools, seepage pits, other pits, or similar systems or devices that receive sewage. Septage also includes solids and liquids that are removed from portable, incinerating, composting, holding, or other toilets.

A copy of the proposed ordinance amendments to Title 4, Chapter 1, Section 3; Nuisances Affecting Health and to Title 8, Chapter 2; Individual Sewage Treatment System is attached.

Advisory Commission Comments

The Cottage Grove Public Safety, Health and Welfare Commission reviewed the City of Cottage Grove’s proposed City Code amendment declaring land spreading septage as a public nuisance and prohibiting it from being applied to any land within the City of Cottage Grove’s municipal boundaries at their meeting on March 24, 2015. A summary of Washington County’s proposed SSTS ordinance amendment was presented and the proposed draft City ordinance prohibiting land spreading of septage within Cottage Grove was presented.

The Public Safety, Health and Welfare Commission expressed concerns for untreated septic waste being applied to land. Understanding that Washington County’s proposed Subsurface Sewage Treatment System (SSTS) ordinance amendment includes regulations that comply with MPCA’s SSTS requirements and includes regulatory components for permits, setbacks from surface water bodies, wetlands and other groundwater natural resources, geology and infiltration rates. Land spreaders are also required to monitoring surface and groundwater to ensure public health and safety.

The Public Safety, Health and Welfare Commission concurred with City staff that Cottage Grove’s geologic subsurface characteristics, urban development and growth, infiltration sensitivity, and existing PFC contamination issues generally do not support land spreading septage within Cottage Grove. For these reasons, the Public Safety, Health and Welfare

Commission unanimously (5-to-0 vote) recommended that the City Council consider approval of the City's proposed ordinance amendment prohibiting land spreading of septage. Their recommendation was based on the findings listed in the draft City ordinance amendment.

The draft City ordinance amendment was distributed the Building Division, Public Works Department and Public Safety Department. Responses from the Building Division and Public Safety Department staff supported the proposed ordinance amendment prohibiting land spreading of septage within Cottage Grove.

Background

On March 14, 2011, the Minnesota Pollution Control Agency (MPCA) published a major update to Minnesota Rules, Chapters 7080 through 7083, governing Subsurface Sewage Treatment Systems. Minor revisions were also made in January 2014. Washington County revised and implemented an SSTS Ordinance that complied with the Minnesota Rules, Chapters 7080, 7081, 7082, and 7083.

Washington County Department of Public Health and Environment is in the process of amending their Development Code, Chapter Four, Subsurface Sewage Treatment System Regulations. Their proposed Ordinance amendment includes regulations that permits land spreading of domestic septage, only if certain regulatory conditions are met. Requirements for land application sites must met the following requirements.

The site shall:

- Be a non-public site.
- Not be in a shoreland area.
- Located in an Agricultural Zoning District.
- Contain soils that are not rapidly permeable at the application depth.
- Not be located in a floodway or floodplain.
- Not contain slopes greater than 12 percent.
- Not be classified as Very High Sensitivity or High Sensitivity of ground pollution.
- Septage shall either be injected or incorporated within six hours of subsurface application to a minimum of six inches.
- Be protected from unauthorized access.
- Septage shall not be applied to cause ponding or runoff.
- Septage must not be applied unless the soil has dried adequately from previous applications or rainfall so that ponding does not occur.
- Septage shall not be applied by spray irrigation or other methods that will cause aerosols to drift from the application site.
- Other land suitability requirements pertain to soil suitability, application methods, topographic restrictions, setback requirements, and reporting requirements.

Based on Washington County's Groundwater Plan 2014-2024, the Metropolitan Urban Service Area (MUSA) illustration (Figure 2), Bedrock Sensitivity (Figure 3), Water Table Sensitivity (Figure 4), Bedrock Geology (Figure 6), Bedrock Topography (Figure 7), Infiltration Potential (Figure 10), Recharge/Discharge Areas (Figure 11), Drinking Water Supply Management Areas

(Figure 24), and the Perfluorochemical (PFC) Plume illustration (Figure 26) generally do not support the proposed regulatory conditions for land spreading septage for Cottage Grove area. The Groundwater Plan also noted that southern Washington County has higher sensitivity of bedrock, water table, and groundwater systems to contamination. For these reasons, it is recommended that Washington County not issue any land spreading permits for land within Cottage Grove and that the City's Codes be amended to prohibit land spreading septage in Cottage Grove. A copy of the aforementioned illustrations from Washington County's Groundwater Plan 2014-2024 are attached.

Washington County held a public hearing before the County's Planning Advisory Commission on February 24, 2015. The Washington County Board is tentatively scheduled to take final action regarding their SSTS Ordinance amendments on April 28, 2015.

Proposed Ordinance Amendments

The proposed ordinance amendment to Title 4, Chapter 1, Section 3; Nuisances Affecting Health adds a Subsection O, which declares land spreading of septage as a public nuisance affecting health.

The proposed ordinance amendments to Title 8, Chapter 2, Section 2; County Standards Adopted continues to adopt and incorporate by reference the Washington County Development Code, Chapter Four, Subsurface Sewage Treatment System Regulations (Washington County Ordinance # _____) and adds a new Section 8-2-4 titled Land Spreading Septage Prohibited. This section merely prohibits any person or entity from land spreading septage on any property within the incorporated areas of Cottage Grove.

Recommendation

That the City Council accept the Public Safety, Health and Welfare Commission's recommendation that the proposed City Code amendments prohibiting the land spreading of septage within the Cottage Grove municipal boundaries be adopted.

A copy of the proposed ordinance amendments to the City Codes is attached.

Figure 2 · Metropolitan Urban Service Area (MUSA)

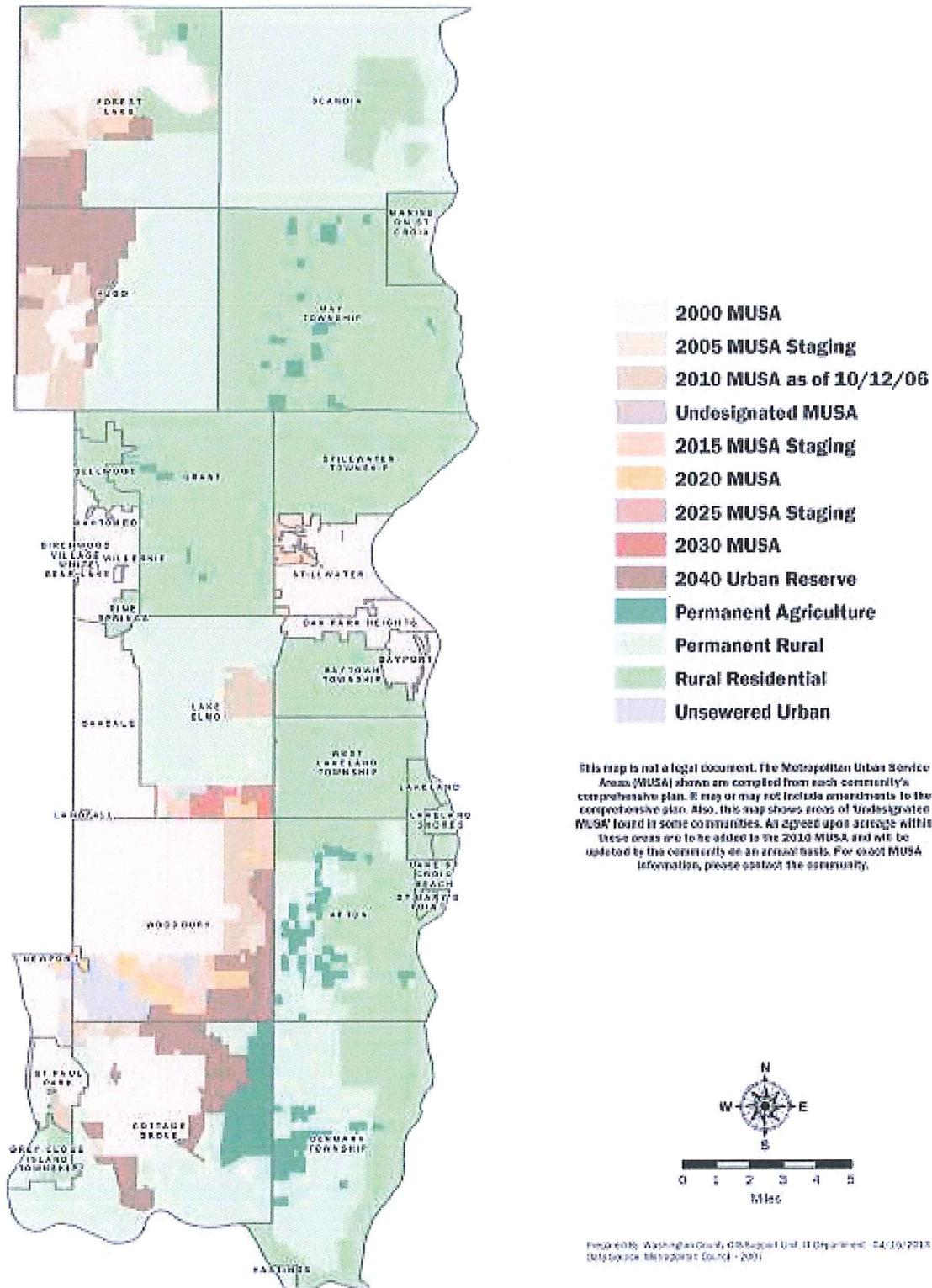


Figure 7 · Bedrock Topography

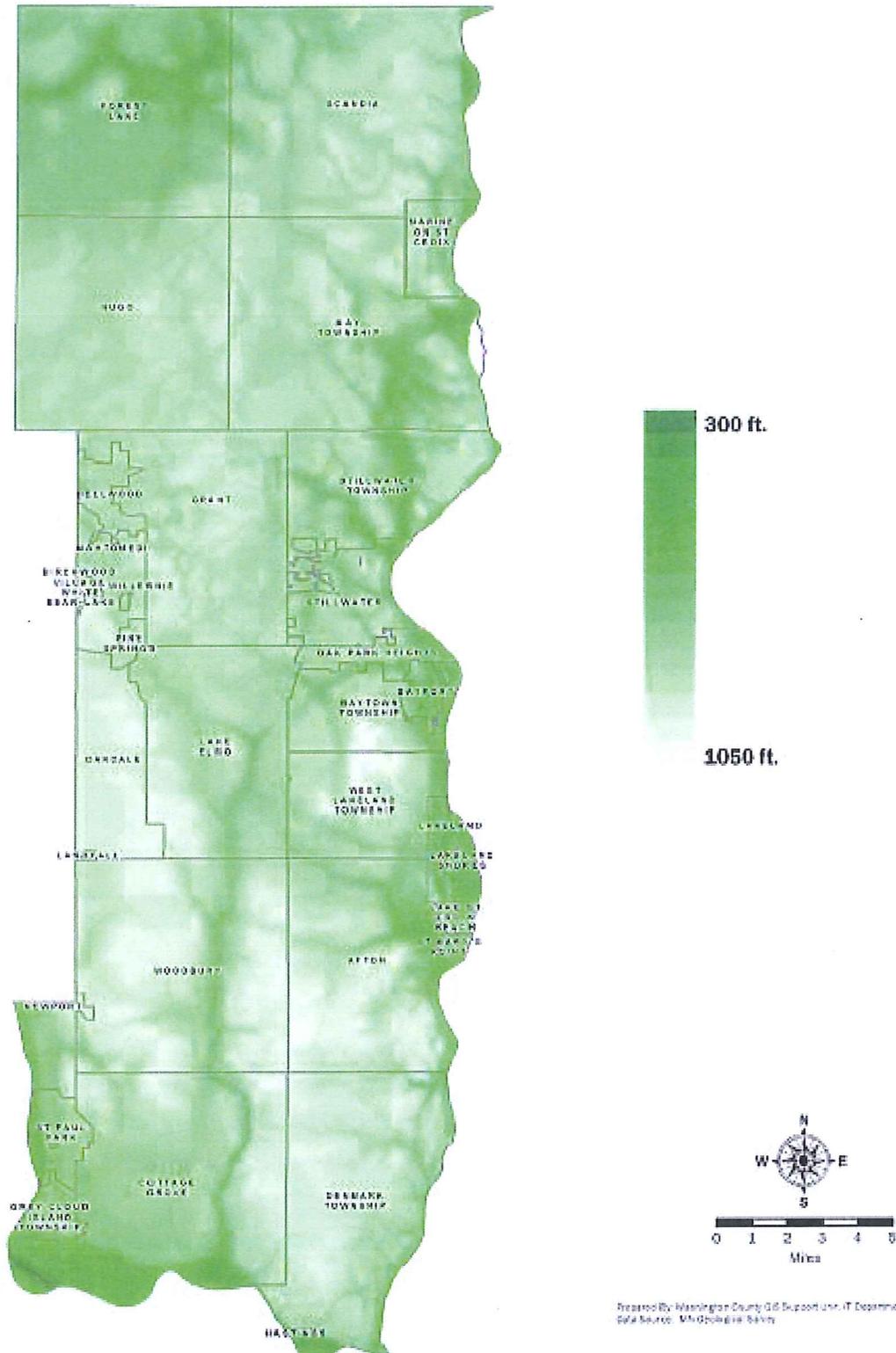
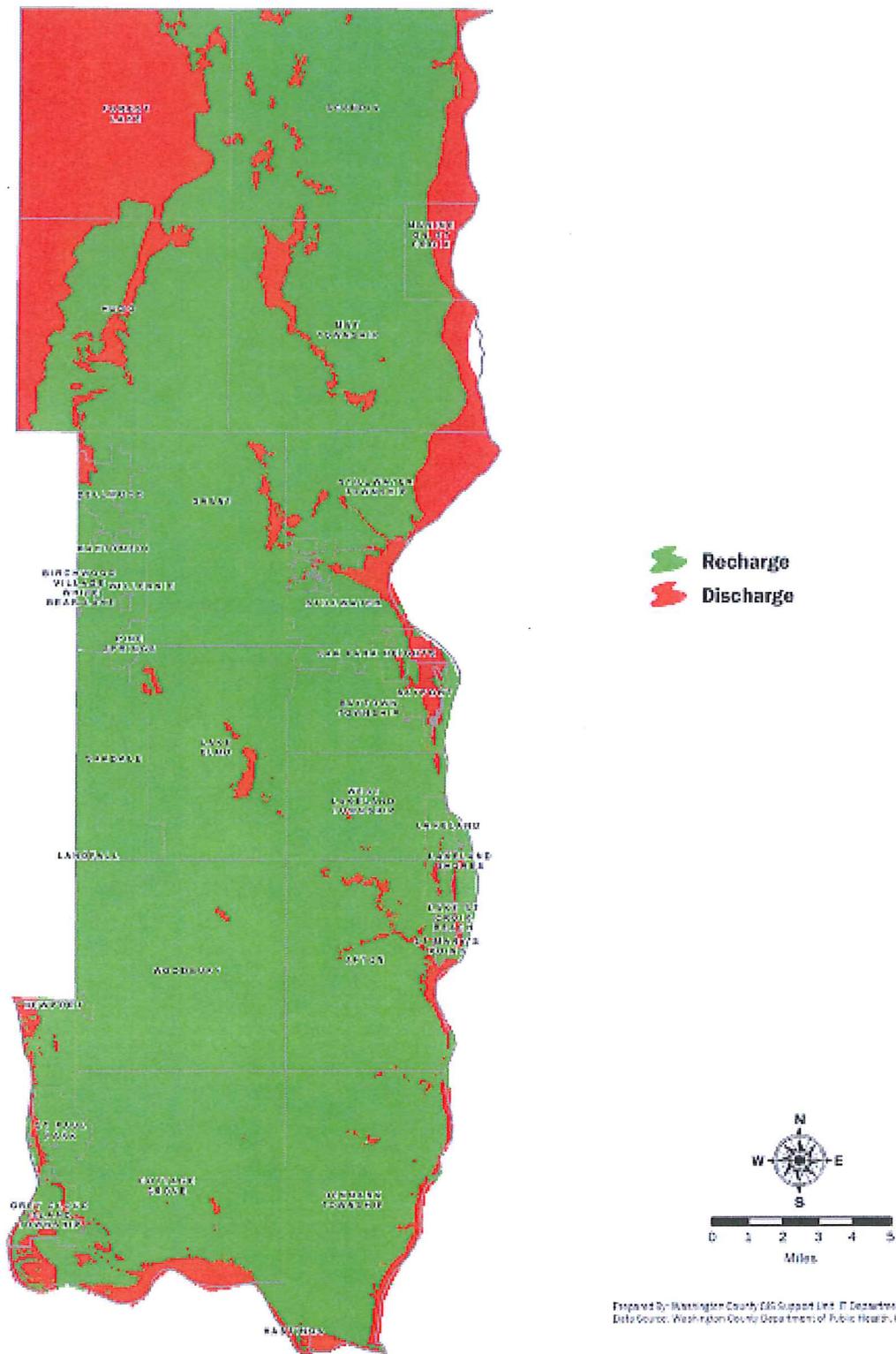


Figure 11 · Recharge/Discharge Areas



Prepared By: Washington County GIS Support Unit, IT Department - 03/15/2013
Data Source: Washington County Department of Public Health, C011, D449

Figure 24 · Drinking Water Supply Management Areas (DWSMAs)

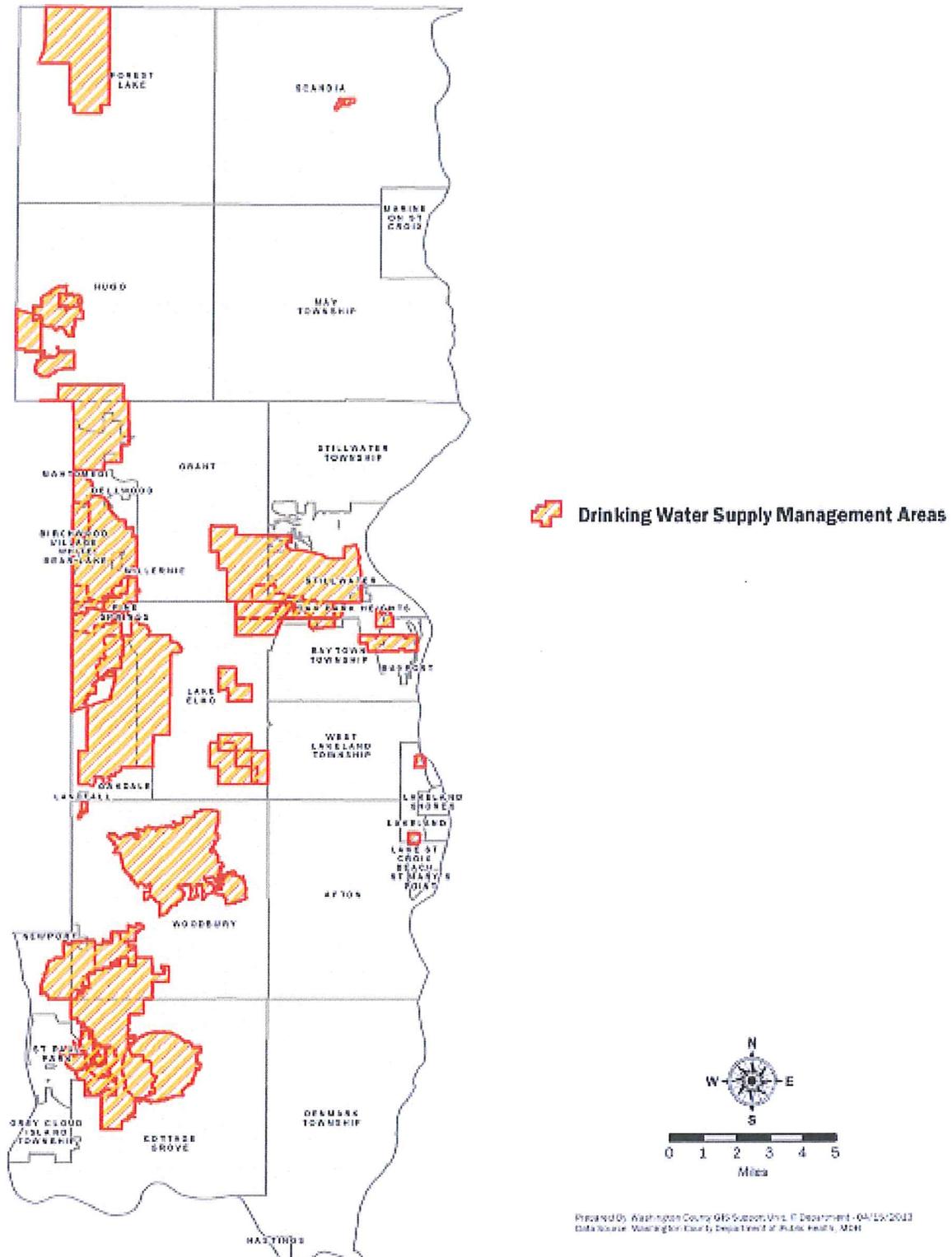
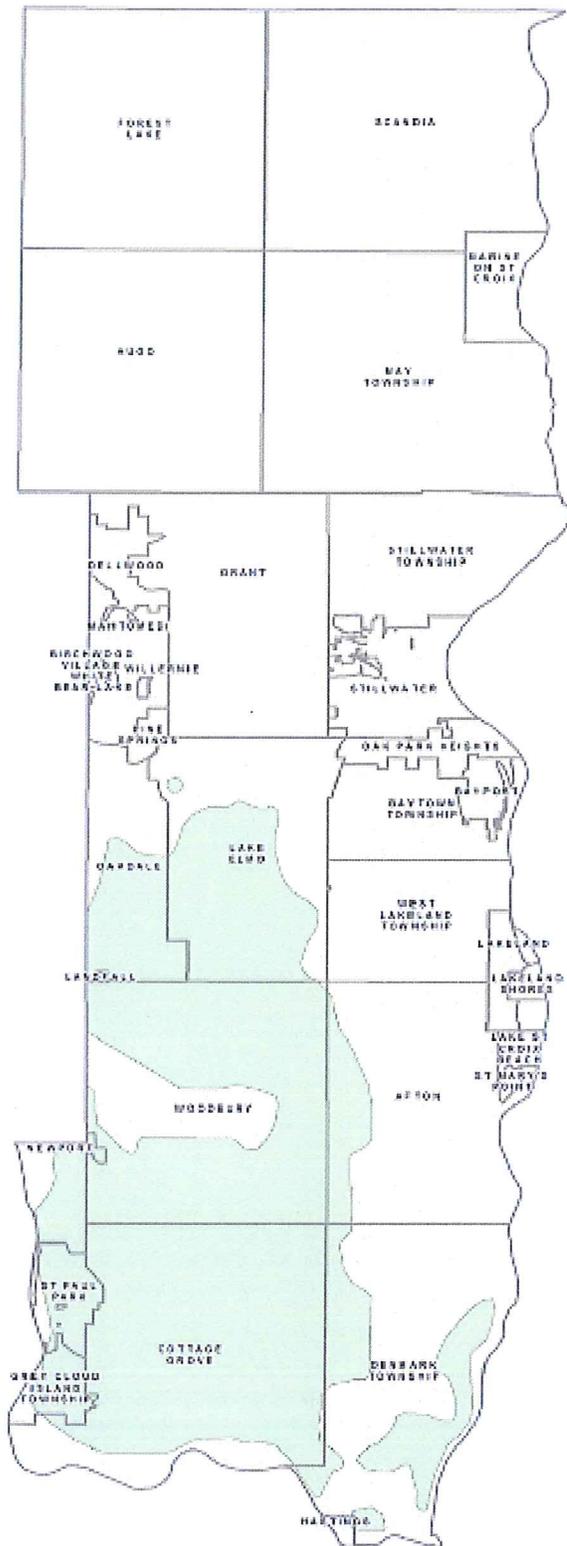
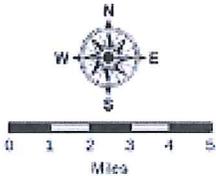


Figure 26 · Perfluorochemical (PFC) Plume



 **Extent of PFC's Detected - Jan 2008**



Revised By: Washington County GIS Support Unit, IT Department - 04/16/2013
 Data Source: Washington County Department of Health - 2008

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: October 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorese, City Administrator
Date: September 28, 2015
Re: Burning Permits in the Village Historic Site (VHS) District

Background

The Fire Department regularly issues burning permits for brush in the rural area of the City. The Fire Department also issues burning permits for brush in the Village Historic Site (VHS) District, but does so rarely. The City does not have a policy regarding larger brush fires vs. recreational fires in the VHS District. While large brush fires are rare in the VHS District, the City has received complaints regarding a large brush fire in the VHS District. The complaints were related to burning embers landing on roofs. Due to the small lots in the VHS District, staff recommended to the City Council that they consider limiting fires in the VHS District to small recreational fires and prohibiting larger brush fires. A recreational fire is a fire of limited size contained in a fire pit.

The Council's discussion included comments that the size of brush fires should be restricted, that the fires should be restricted to only on-site brush, and brush fires must be an appropriate distance from any structures. The Council then referred this issue to the Planning Commission for review and recommendation.

The Commission may want to discuss possible standards for a brush fire in the VHS. These could include diameter, height, setback from structures, acceptable materials and the need for a burning permit.

Planning Commission Direction Requested:

Motion regarding a policy concerning brush fire permits in the VHS District.

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: October 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moore, City Administrator
Date: September 28, 2015
Re: Comprehensive Plan Update – Metropolitan Council System Statements

Background

The Metropolitan Council has provided its System Statement for Afton to guide the City's Comprehensive Plan update process. The overview information from the System Statement, including population, household and employment forecasts, is attached. The detailed information regarding the Transportation, Water Resources/Wastewater and Regional Parks System Statements has been provided to the Planning Commission members by email.

The population and household forecasts in the System statement were initially developed by the Metropolitan Council as part of its Thrive MSP 2040 Plan. In the City's review of the Thrive MSP 2040 forecasts, the City provided feedback that the population and household forecasts were far beyond what the City's Comprehensive Plan would allow. In response, the Metropolitan Council substantially reduced these forecasts. The reduced forecasts are reflected in the 2015 System Statement.

While the City's receipt of the System Statement starts the timeline for the update of the City's Comprehensive Plan, the update process has not yet begun. In the meantime, if Commission members have any questions or concerns about the information in the System Statement, please share them with staff and/or Chair Ronningen.

Planning Commission Direction Requested:
No direction required

2015 SYSTEM STATEMENT

City of Afton

System Statement Issue Date: September 17, 2015



2015 SYSTEM STATEMENT FOR CITY OF AFTON

September 17, 2015

Regional Development Plan Adoption

In May 2014, the Metropolitan Council adopted *Thrive MSP 2040*. Following adoption of *Thrive*, the Council adopted the *2040 Transportation Policy Plan*, the *2040 Regional Parks Policy Plan*, the *2040 Water Resources Policy Plan*, and the *2040 Housing Policy Plan*. The Metropolitan Council is now issuing system statements pursuant to [State statute](#).

Receipt of this system statement and the metropolitan system plans triggers a community's obligation to review and, as necessary, amend its comprehensive plan within the next three years, by the end of 2018. The complete text of *Thrive MSP 2040* as well as complete copies of the recently adopted metropolitan system and policy plans are available for viewing and downloading at <http://www.metrocouncil.org/Communities/Planning.aspx>. Paper copies are available by calling the Council's Data Center at 651-602-1140.

System Statement Definition

Metropolitan system plans are long-range comprehensive plans for the regional systems – transit, highways, and airports; wastewater services; and parks and open space – along with the capital budgets for metropolitan wastewater services, transportation, and regional recreation open space. System statements explain the implications of metropolitan system plans for each individual community in the metropolitan area. They are intended to help communities prepare or update their comprehensive plan, as required by the Metropolitan Land Planning Act:

Within nine months after receiving a system statement for an amendment to a metropolitan system plan, and within three years after receiving a system statement issued in conjunction with the decennial review required under section 473.864, subdivision 2, each affected local governmental unit shall review its comprehensive plan to determine if an amendment is necessary to ensure continued conformity with metropolitan system plans. If an amendment is necessary, the governmental unit shall prepare the amendment and submit it to the council for review.

Local comprehensive plans, and amendments thereto, will be reviewed by the Council for conformance to metropolitan system plans, consistency with Council policies, and compatibility with adjacent and affected governmental units. Updated local comprehensive plans are due to the Council for review by December 31, 2018.

What is in this System Statement

The system statement includes information specific to your community, including:

- your community designation or designation(s);
- forecasted population, households, and employment through the year 2040;
- guidance on appropriate densities to ensure that regional services and costly regional infrastructure can be provided as efficiently as possible.
- affordable housing need allocation;

In the following sections, this system statement contains an overview of each of the system plan updates and specific system changes that affect your community. The sections are:

- Transportation, including metropolitan highways, aviation, and transit
- Water Resources, including wastewater, surface water, and water supply planning
- Regional parks and trails

Dispute Process

If your community disagrees with elements of this system statement, or has any questions about this system statement, please contact your Sector Representative, Ryan Garcia, at 651-602-1832, to review and discuss potential issues or concerns.

The Council and local government units and districts have usually resolved issues relating to the system statement through discussion.

Request for Hearing

If a local governmental unit and the Council are unable to resolve disagreements over the content of a system statement, the unit or district may, by resolution, request that a hearing be conducted by the Council's Land Use Advisory Committee or by the State Office of Administrative Hearings for the purpose of considering amendments to the system statement. According to Minnesota Statutes section 473.857, the request shall be made by the local governmental unit or school district within 60 days after receipt of the system statement. If no request for a hearing is received by the Council within 60 days, the statement becomes final.

Regional Development Guide

The Council adopted [Thrive MSP 2040](#) as the new regional development guide on May 28, 2014. *Thrive* identifies five outcomes that set the policy direction for the region's system and policy plans. Building on our region's history of effective **stewardship** of our resources, *Thrive* envisions a **prosperous, equitable, and livable** region that is **sustainable** for today and generations to come. The Council is directing its operations, plans, policies, programs, and resources toward achieving this shared long-term vision.



Three principles define the Council's approach to implementing regional policy: **integration, collaboration, and accountability**. These principles reflect the Council's roles in integrating policy areas, supporting local governments and regional partners, and promoting and implementing the regional vision. The principles define the Council's approach to policy implementation and set expectations for how the Council interacts with local governments.

Thrive also outlines seven land use policies and community designations important for local comprehensive planning updates. The land use policies establish a series of commitments from the Council for local governments and uses community designations to shape development policies for communities. Community designations group jurisdictions with similar characteristics based on Urban or Rural character for the application of regional policies. Together, the land use policies and community designations help to implement the region's vision by setting expectations for development density and the character of development throughout the region.

Community Designation

Community designations group jurisdictions with similar characteristics for the application of regional policies. The Council uses community designations to guide regional growth and development; establish land use expectations including overall development densities and patterns; and outline the respective roles of the Council and individual communities, along with strategies for planning for forecasted growth. If there are discrepancies between the *Thrive MSP 2040* Community Designations Map and the Community Designation map contained herein because of adjustments and refinements that occurred subsequent to the adoption of *Thrive*, communities should follow the specific guidance contained in this System Statement.

Thrive identifies Afton with the community designation of Diversified Rural (Figure 1). Diversified Rural communities are home to a variety of farm and nonfarm land uses including very large-lot residential, clustered housing, hobby farms and agricultural uses. Diversified Rural communities are expected to plan for growth not to exceed forecasts and in patterns that do not exceed 4 units per 40 acres. In addition, Diversified Rural communities are expected to manage land uses to prevent the premature demand for extension of urban services, and so that existing service levels will meet service needs.

Specific strategies for Diversified Rural communities can be found on Afton's [Community Page](#) in the [Local Planning Handbook](#).

Forecasts

The Council uses the forecasts developed as part of *Thrive* to plan for regional systems. Communities should base their planning work on these forecasts. Given the nature of long-range forecasts and the planning timeline undertaken by most communities, the Council will maintain on-going dialogue with communities to consider any changes in growth trends or community expectations about growth that may have an impact on regional systems.

The *Thrive* forecasts for population, households, and employment for your community are:

	2010 (actual)	2014 (est.)	2020	2030	2040
Population	2,886	2,949	3,070	3,120	3,140
Households	1,081	1,111	1,200	1,260	1,300
Employment	411	501	510	530	550

Housing Policy

The Council adopted the [Housing Policy Plan](#) on December 10, 2014, and amended the plan on July 8, 2015. The purpose of the plan is to provide leadership and guidance on regional housing needs and challenges and to support *Thrive MSP 2040*. The *Housing Policy Plan* provides an integrated policy framework to address housing challenges greater than any one city or county can tackle alone.

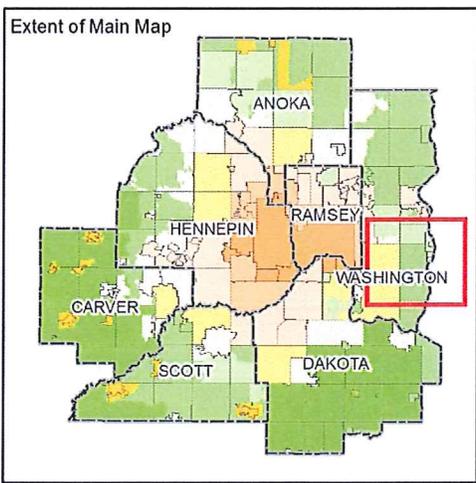
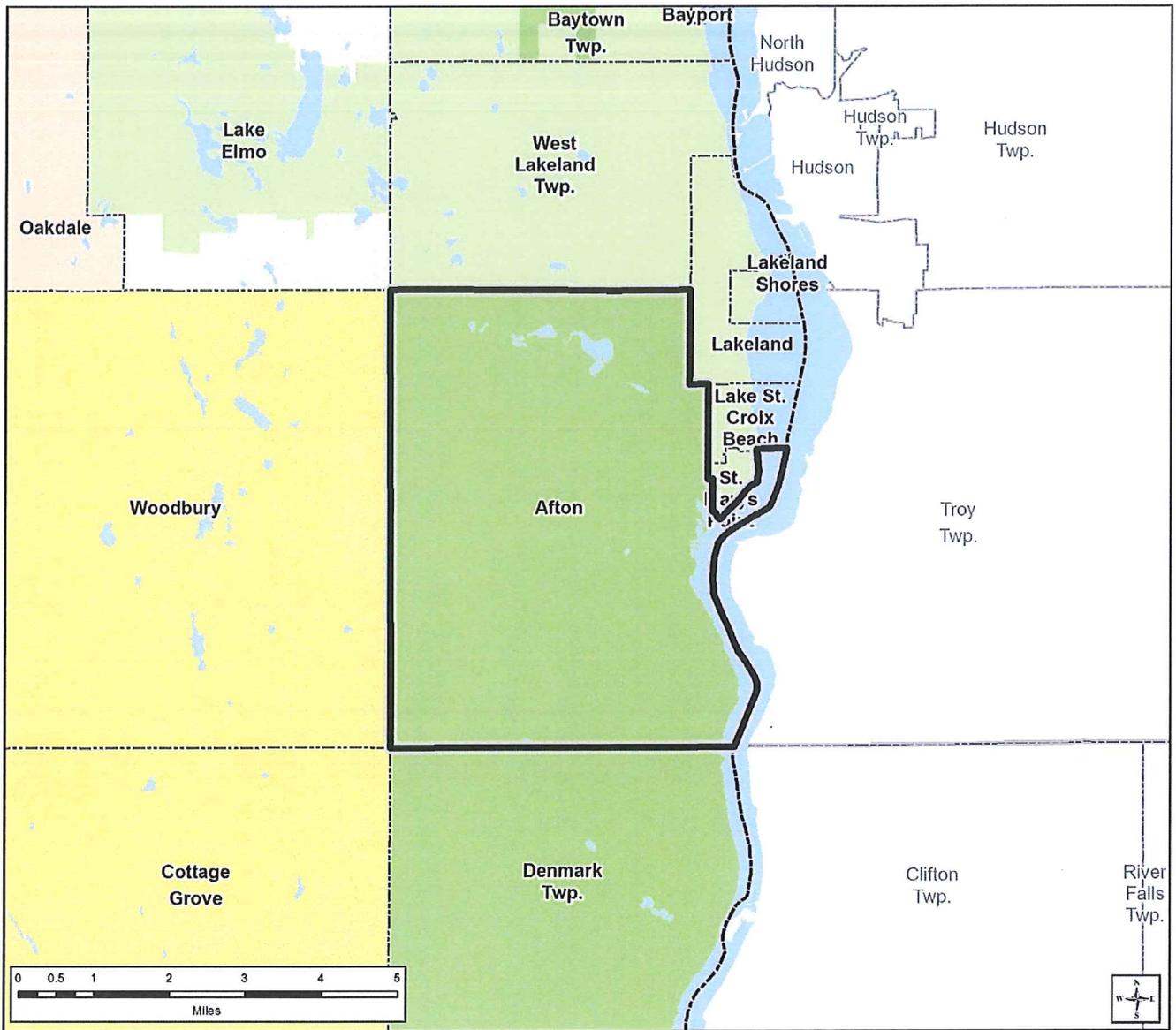
Consistent with state statute (Minn. Stat. 473.859, subd. 2(c) and subd. 4), communities must include a housing element and implementation program in their local comprehensive plans that address existing and projected housing needs.

The Council has also determined the regional need for low and moderate income housing for the decade of 2021-2030 (see Part III and Appendix B in the *Housing Policy Plan*).

The Council has determined that Afton does not have a share of the region's need for low and moderate income housing.

Specific requirements for the housing element and housing implementation programs of local comprehensive plans can be found in the [Local Planning Handbook](#).

Figure 1. Afton Community Designation



Community Designations

- Outside Council planning authority
- Agricultural
- Rural Residential
- Diversified Rural
- Rural Center
- Emerging Suburban Edge
- Suburban Edge
- Suburban
- Urban
- Urban Center

- County Boundaries
- City and Township Boundaries
- Lakes and Major Rivers

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: October 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorse, City Administrator
Date: September 24, 2015
Re: Meeting Start Time Review

Background

For several months, the Planning Commission has been starting its meetings at 6:30 p.m. Chair Ronningen has requested that the Commission discuss how the earlier start time is working for the members.

Planning Commission Direction Requested:
Motion regarding the 6:30 p.m. meeting start time.

PROCEEDINGS OF THE AFTON CITY COUNCIL
CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA

DRAFT City Council Regular Meeting Minutes
September 15, 2015
Afton City Hall
3033 St. Croix Trail
Afton, MN 55001
7:00 P.M.

1 THE MEETING WAS CALLED TO ORDER at 7:00 P.M. by Mayor Bend.

2 THE PLEDGE OF ALLEGIANCE – was recited.

3 ROLL CALL: Nelson, Ross, Richter, Palmquist and Mayor Bend. Quorum Present.

ALSO PRESENT: City Attorney Fritz Knaak, Planning Commission Vice Chair Judy Seeberger, City Administrator Ron Moorse and Deputy Clerk Kim Swanson Linner.

4 APPROVAL OF AGENDA –

A. Agenda for the Regular City Council Meeting of September 15, 2015 – Items added were: Item 9C11, Organics Recycling and Item 9D5, High Speed Internet Committee.

Motion/Second: Palmquist/Richter. To approve the agenda of the September 15, 2015 Regular City Council Meeting as amended. Motion carried 5-0-0.

5 APPROVAL OF MINUTES -

A. Minutes of the August 14, 2015 City Council Work Session – It was noted that Palmquist had arrived just after the meeting began.

Motion /Second: Richter/Ross. To approve the minutes of the August 14, 2015 City Council Work Session as amended. Motion carried 5-0-0.

B. Minutes of the August 18, 2015 Regular City Council Meeting –

Motion /Second: Palmquist/Bend. To approve the minutes of the August 18, 2015 Regular City Council Meeting as presented. Motion carried 3-0-2 (Abstain: Richter and Nelson, as they were not in attendance).

6. PUBLIC INPUT – John Heddle, 12180 8th Street S, informed Council that the “wedding venue” at 589 Manning Avenue, which does not currently have city approval to hold weddings, has held three weddings so far this year; with the two from 2014, a total of five weddings have been held on the property without approval from the city. He has called the City to report these each time they happen, and wanted to know what the city is doing. Mr. Heddle was informed that the issue is being taken up with the City Attorney.

7. REPORTS/PRESENTATIONS -

- A. Sheriff’s Monthly Report – no deputy in attendance.
- B. Jim Bougie, Finance Committee Report – not in attendance.

8. CONSENT AGENDA -

- A. Just and Correct Claims
- B. 4M Fund Transfer - JULY - Resolution 2015-61
- C. Appointment of Auditor Michael Pofahl to conduct the 2015 Annual City Audit – Resolution 2015-62

54 **D. Sewer Ordinance amending Section 12-83 and Sections 12-1901 through 12-2300 – Ordinance 04-**
55 **2015 and Summary Ordinance 04-2015**

56
57 **Motion/Second: Richter/Nelson. To approve the Consent Agenda as presented, including Resolution 2015-**
58 **61, Resolution 2015-62 and Ordinance and Ordinance Summary 04-2015. ROLL CALL: All Ayes.**
59 **Motion carried 5-0-0.**

60
61 **9. CITY COUNCIL BUSINESS -**

62
63 **A. Planning Commission Report – Vice Chair Judy Seeberger reported for the Planning Commission.**

64
65 1. Traditional Ventures, LLC Application for Conditional Use Permit for Grading at 1987 Manning
66 Avenue and the parcel to the south with PID 18.028.20.22.0002 – Resolution 2015-63 – Administrator Moose
67 summarized that the Washington Conservation District has received grant funding for water quality
68 improvements, and is working with numerous property owners to address erosion issues to reduce the amount of
69 sediment that erodes into streams. This proposal is to construct a grassed waterway on the property at 1987
70 Manning Avenue and the parcel to the south to reduce erosion. The project will not change the route or volume
71 of water. The extent of grading requires a Conditional Use Permit (CUP). The City Engineer reviewed the
72 grading plans and indicated the proposed erosion control blanket is adequate. However, they did note that, if a
73 culvert is installed in the future to provide access across the grassed waterway, the plans for the culvert will need
74 to be reviewed by the City Engineer. Moose informed that the Planning Commission recommended approval of
75 the conditional use permit on a vote of 5-1-0 with the following findings and conditions.

76
77 Findings

- 78 1. The Washington Conservation District and the City Engineer found the project withstands a 10-year
79 precipitation event.
80 2. The project will not increase water flow to any adjacent properties.
81 3. The project will improve overall water quality to Valley Creek and ultimately to the St. Croix River.
82

83 Conditions

- 84 1. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the duration of
85 the permit.
86 2. Grading plans shall be reviewed and approved by the City Engineer.
87 3. City Engineer specifications and recommendations for all work shall be met for the duration of the
88 permit.
89 4. The grading plan shall be constructed according to plans approved by the City Engineer. Silt fences or
90 other types of erosion control shall be properly installed prior to construction; and shall be maintained in
91 good condition until the construction is complete.
92 5. Non-compliance with the conditions of this permit shall be considered a violation, and may result in
93 revocation of this permit.
94 6. Compliance with conditions of this permit shall be monitored on a periodic basis.
95 7. Construction shall begin within one year of the date of issuance of this permit or the permit shall
96 become null and void.
97 8. If a culvert is installed in the future to provide access across the grassed waterway, the plans for the
98 culvert will need to be reviewed and approved by the City Engineer.
99 9. The applicant and property owner will adhere to the operation and maintenance plan dated 2/2015, and
100 the grassway shall be maintained as such semi-annually for 10 years.
101 10. The project shall meet the requirements of the approved Valley Branch Watershed District Permit
102 11. Any changes to the project shall be approved by the City of Afton.
103

104 Council Discussion

105 Palmquist asked what the issue was for the dissenting vote.

106 Seeberger reported that the commissioner indicated that not enough communication to adjacent landowners
107 was done.

108 James Landini, the Washington Conservation District (WCD) engineer, reviewed that the grant
109 opportunities were offered to all interested property owners. The surrounding property owners were notified of
110 this project per the application process.

111 Bend confirmed with the WCD engineer that the downstream property would be improved by this project.
112

113 **Motion/Second: Richter/Ross. To approve Resolution 2015-63, the Conditional Use Permit for Traditional**
114 **Ventures, LLC, for a grading and erosion control project at 1987 Manning Avenue and the parcel to the**
115 **south with PID 18.028.20.22.0002, with findings and conditions as presented in Resolution 2015-63. ROLL**
116 **CALL: All Ayes. Motion carried 5-0-0.**
117

118 2. Grant Weissner and Peter Hill Application for Conditional Use Permit for Grading at 3750 Paradox
119 End Avenue S. and the parcel to the east with PID 22.028.20.31.0005- Resolution 2015-64 – Administrator
120 Moore summarized the Washington Conservation District water quality improvement to construct a grade
121 control structure to reduce gully erosion at 3750 Paradox End Avenue S and the property to the east. The extent
122 of grading requires a Conditional Use Permit (CUP). The purpose of the proposed project is to catch the large
123 volume of surface water that flows off of the Paradox End cul-de-sac and onto the property to the east, as well as
124 to manage groundwater that flows through the soil which hits bedrock and comes out into a gully, and to provide
125 a stable flow path downhill for both of these water sources to reduce erosion. There will be no change in the
126 volume of water flowing down the waterway. Moore reported that the City Engineer reviewed the grading
127 plans and recommends approval. The Planning Commission recommended approval of the Conditional Use
128 Permit on a vote of 7-0-0, with the following findings and conditions.
129

130 Findings

- 131 1. The Project improves water quality.
- 132 2. The Washington Conservation District and the City Engineer found the project withstands a 10-year
133 precipitation event.
134

135 Conditions

- 136 1. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the duration of
137 the permit.
- 138 2. Grading plans shall be reviewed and approved by the City Engineer.
- 139 3. City Engineer specifications and recommendations for all work shall be met for the duration of the
140 permit.
- 141 4. The grading plan shall be constructed according to plans approved by the City Engineer. Silt fences or
142 other types of erosion control shall be properly installed prior to construction; and shall be maintained in
143 good condition until the construction is complete.
- 144 5. Non-compliance with the conditions of this permit shall be considered a violation, and may result in
145 revocation of this permit.
- 146 6. Compliance with conditions of this permit shall be monitored on a periodic basis.
- 147 7. Construction shall begin within one year of the date of issuance of this permit or the permit shall
148 become null and void.
- 149 8. Installation shall be according to the design as approved by the Washington Conservation District and
150 the City Engineer.
151

152 Council Discussion

153 Ross reported that the property owners were not present and the discussion went quickly and without debate.
154

155 **Motion/Second: Richter/Bend. To approve Resolution 2015-64 for the grading CUP and erosion control**
156 **project at Grant Weissner and Peter Hill properties at 3750 Paradox End Avenue S and the parcel to the**

157 east with PID 22.028.20.31.0005, with findings and conditions as presented in the resolution. ROLL
158 CALL: All Ayes. Motion carried 5-0-0.
159

160 3. Dan Dickinson Variance Application at 15876 Afton Boulevard S. – Resolution 2015-65 –
161 Administrator Moose summarized the Dan Dickinson request for a variance to the minimum lot size
162 requirement at 15876 Afton Boulevard to enable the parcel to be approved as a buildable lot. Minimum lot size
163 in the VHS is 22,500 square feet (commonly three historically platted 50 foot by 150 foot parcels of 7,500 sq. ft.
164 each) combined to create one parcel. The Dickinson property is made up of two historically platted parcels of
165 7,500 square feet each, for a total of 15,000 square feet. The lowest elevation of the property is 720 feet, well
166 above the floodplain level of 692. The property is zoned VHS-C. A single family home is a permitted use in the
167 VHS-C District. Moose gave a brief history of the property indicating it contained buildings in the past: a
168 church and parsonage, and after being decommissioned, the buildings were used at various times as City offices,
169 a County library and a single family dwelling/art studio. The house was moved in 1984 and the church was
170 completely destroyed by a fire in 1998. Mr. Dickinson purchased the property in 1999, and applied for a
171 variance to the minimum lot size requirements in 2002. At that time, Molly Shodeen of the DNR indicated that
172 the DNR would not need to certify the lot size variance, as the lots were existing lots of record. While the
173 variance was approved, the variance expired before Mr. Dickinson moved forward with the construction of a
174 house on the property. Moose reminded that the Planning Commission and Council have reviewed the issue of
175 the buildability of lots in the Village Historic Site District (VHS) that are nonconforming in size and
176 undeveloped and that the variance process is to be used to provide a case-by-case review of substandard lots
177 wishing to be determined as buildable. Moose pointed out the site plan showed a proposed house on the
178 property and that the house can meet the setback requirements. The property does not have steep slopes. The
179 two substandard parcels are proposed to be combined to create one buildable lot. The planned wastewater
180 treatment system does have capacity to serve the property. Mr. Dickinson has requested an extension of the
181 expiration period for the variance, so that the timing of construction of a house can be planned to coincide with
182 the availability of sewer service to the property. At their meeting the Planning Commission acknowledged that
183 the property is small and they were not clear about the direction the Council felt about how small a lot could be
184 and still be allowed as a buildable lot.

185 Seeberger added, that while the Planning Commission recommended approval of the variance application on
186 a vote of 7-0-0.
187

188 Council Discussion

189 Ross reported that some commissioners felt there was a lack of direction on VHS minimum lot size from the
190 Council, but then came the consensus that a vote on the application would give Council the opportunity to give
191 direction.

192 Seeberger confirmed that some had a hesitancy on the size of VHS lots, but felt a recommendation on the
193 application would prompt direction from Council. The Commission was agreed that each property requesting a
194 lot size variance would be decided on a case-by-case basis. In this particular case, they felt a variance to allow a
195 housing parcel (not a parcel for storage or burning) would improve the VHS, as this parcel is somewhat of a
196 “gateway” parcel into Afton on Afton Boulevard.

197 Palmquist asked Dickinson about his intention for removing trees on the parcel.

198 Dickinson indicated he did not plan to remove any trees, especially the larger maples, unless they were a
199 hazard.

200 Palmquist continued that there are quite a few homes on two lots in the VHS.

201 Nelson commented that it was noted within the septic system discussions that the city has potential for three
202 to five lot size variances, and he is in favor of allowing appropriate variance requests, as it will help spread the
203 cost of the sewer hookups.

204 Bend reviewed the three factors that applications must meet to allow a variance:

- 205 1. Reasonableness: The property owner proposes to use the property in a reasonable manner not
206 permitted by the zoning ordinance.
- 207 2. Uniqueness: The plight of the landowner is due to circumstances unique to the property not created
208 by the landowner.

209 3. Essential Character: The variance, if granted, will not alter the essential character of the locality.
210 He asked, in turn, if each was met by this application. Council members, staff, and Planning Commission Vice
211 Chair indicated the application met these factors.
212 Richter felt that the “case-by-case” basis is subjective and felt the city should set some kind of threshold that
213 lot size could not go below. He also felt that because the septic timeline will extend 1-2 years, that a 2-3 year
214 variance time period seemed extensive.

215 Ross questioned that the actions on the lots had an assumed deadline. He stated the septic schedule has slid,
216 so the variance timeline has had to stretch out.

217 Bend asked Dickinson if the property has a well and septic now.

218 Dickinson indicated a mound system had been perked in 2002, but the property has no working septic
219 system at this time.

220 Palmquist felt the condition to have the sewer available was an important one.

221 Engineer Hankee stated that the Assessment Roll for the Feasibility Study for the project would need to be
222 updated to include a residential assessment for this parcel.

223 Richter maintained he’d like to see a “real” minimum lot size for the VHS now that individual septic
224 systems are not going to be needed.

225 The findings and conditions recommended by the Planning Commission were amended by the Council as
226 follows:

227

228 Findings

- 229 1. The property cannot be put to a reasonable use without a variance.
- 230 2. The parcel was a pre-existing non-conforming lot which previously contained compliant structures.
- 231 3. A variance was previously recommended by the Planning Commission and approved by City
232 Council.
- 233 4. The parcel has an existing well and septic system.
- 234 5. The proposed house meets setbacks.
- 235 6. The proposed house meets impervious surface requirements in the VHS District.
- 236 7. The conditions of the property are not by the actions of the owner.
- 237 8. Granting the variance will not give special privilege to the owner.
- 238 9. Granting the variance will not change the essential character of the neighborhood.

239

240 Conditions

- 241 1. The two parcels must be combined into one parcel.
- 242 2. The house must meet all setback requirements.
- 243 3. The house must meet impervious coverage requirements.
- 244 4. The house plan must comply with the Heritage Preservation Commission for design review and
245 recommendations.
- 246 5. The applicant must provide a grading and erosion control plan, and the plan must be approved by
247 the City Engineer.
- 248 6. The house shall be constructed according to the site plan provided with the application subject to
249 revisions as required or approved by the City Engineer and/or the Zoning Administrator.
- 250 7. The variance shall be valid until one year after the municipal sewer system is available to the
251 property.
- 252 8. No building permit shall be issued for the parcel until the city sewer system is available.
- 253 9. Approval of the variance is contingent upon approval of the DNR, if required.
- 254 10. With this variance approval, the property must hook up to the Village sewer system.
- 255 11. The parcel must meet all other city requirements for a buildable lot, other than size.

256

257 **Motion/Second: Palmquist/Nelson. To approve Resolution 2015-65, the request by Dan Dickinson for a**
258 **variance to minimum lot size in the VHS at 15876 Afton Boulevard South, with the findings and**
259 **conditions as amended above. ROLL CALL: All Ayes. Motion carried 5-0-0.**

260

261 3. Lower St. Croix River Bluffland and Shoreland Management Ordinance and Floodway District
262 Ordinance Amendment – Ordinance 05-2015 – Administrator Moose summarized that The Lower St. Croix
263 Bluffland and Shoreland Management Ordinance and the Floodway District Ordinance included a number of
264 inconsistencies, outdated language, and conflicts with the City’s regular zoning requirements that made this
265 ordinance amendment necessary. He indicated the Planning Commission held a public hearing at its August 31,
266 2015 meeting and recommended approval on a vote of 7-0-0.

267 Bend asked if any council members wanted to discuss any of the amendments as outlined.
268 Council had no discussion.

269
270 **Motion/Second: Palmquist/Nelson. To adopt amendments to the Lower St. Croix Bluffland and**
271 **Shoreland Management ordinance, Sections 12-578, 12-637, 12-706, 12-707, 12-831, 12-832 and 12-834**
272 **and amendments to the Floodway District ordinance, Section 12-1001 as presented in Ordinance 05-2015.**
273 **ROLL CALL: All Ayes. Motion carried 5-0-0.**

274
275 Bend noted that, under the terms of the current ordinance, the ordinance changes need to be sent and
276 approved by the DNR with a 30-day review prior to publication.

277
278 **B. Engineering Report**

279 1. Staff Report/Council Update – City Engineer Diane Hankee reported that the Crack Filling project
280 is planned to start the week of September 21, 2015 weather permitting.

281
282 a. Bridge Inspections – Hankee reported that the Minnesota Department of Transportation
283 (MNDOT) annual bridge inspection program calls for some bridges to be inspected every year and some every
284 other year. She indicated that in 2014 two bridges were inspected; in 2015 five bridges need to be inspected and
285 reports submitted to MNDOT by October 31. The estimated cost to inspect the bridges is \$4,386. WSB has
286 certified bridge inspectors on staff that do this work.

287 The base reporting work will be completed along with the onsite inspections and final copies sent to the City.
288

289 **Motion/Second: Richter/Palmquist. To authorize WSB to complete five bridge inspections in 2015 per the**
290 **MNDOT annual bridge inspection program, for an amount not to exceed \$4,386. Motion carried 5-0-0.**

291
292 b. Engineering Services Proposals for the Downtown Improvement Projects – Hankee indicated
293 Engineering proposals from Wenck and Associates and WSB and Associates were discussed at the July 16,
294 2015 Council Work Session. These proposals for services are to complete the work for the levee, sewer system,
295 storm water and other projects connected with the DNR Flood Mitigation and Downtown Improvement Projects.
296 The Wenck proposal is for \$188,900 and the WSB proposal is for \$285,690. WSB will provide an updated
297 proposal, to take into account work to date and schedules.

298
299 2. Wastewater Treatment System Project Timing Update – Hankee explained that the City had been
300 working toward the construction of the wastewater treatment system in the fall of 2015. Due to actions
301 necessary to meet a number of requirements related to both the Minnesota Pollution Control Agency (MPCA)
302 permit and Public Facilities Authority (PFA) funding, and the issuance of the MPCA permit, the timing of
303 advertisement for bids have been delayed. Wenck Associates and WSB have discussed that there is a low
304 probability of obtaining good bids and completing significant work on the treatment system this fall. Therefore,
305 it is recommended that the advertisement for bids be planned for December 2015, with construction to begin in
306 the spring of 2016 and completed in the summer of 2016.

307
308 **Motion/Second: Palmquist/Richter. To authorize scheduling the advertising for bids for the wastewater**
309 **treatment system for December 2015, for construction in the spring of 2016. Motion carried 5-0-0.**

310
311 3. 201 System Upgrade – Administrator Moose explained that the wastewater treatment and
312 collection system project includes upgrading the lift station of the 201 septic system that serves properties along

313 River Road and connecting that system to the new wastewater system. In the past year the 201 lift station has
314 been experiencing recurring operational issues, and is currently not working and needs substantial repairs. The
315 lift station is being pumped regularly, at a cost of \$300 to \$400 per week. Rather than repairing the current
316 components now, then replacing them with upgraded components when the lift station is upgraded, staff has
317 worked with the City Engineer and three contractors to obtain information and price quotes for two alternative
318 solutions. One alternative is to do necessary repairs and replacements now. The lowest price quote received for
319 doing the necessary repairs is approximately \$2,000, which the contractor indicated could be done right away.
320 The other alternative is to do, at this time, the system upgrades that are planned as part of the larger collection
321 system project in 2016. The upgrades include the installation of two new 2hp single phase grinder pumps, new
322 pump disconnects, new check valves, new shut-off valves, new cable hangers, new rails, new brackets and
323 miscellaneous hardware, as well as a new control panel. The cost of the upgrades is approximately \$20,000.
324 Moose explained that while the cost of doing only necessary repairs is low, the disadvantages are that the items
325 repaired will be replaced in 2016, and there is uncertainty regarding whether the repairs will hold until the
326 upgrade work is done in 2016. While the advantages of the upgrade alternative is that there is no duplication of
327 costs and it would be a long term solution, the disadvantage is that it does not appear that the costs would be
328 eligible for the Public Facilities Authority grant funding, which is 50% of the cost.

329
330 Council Discussion

331 Ken Johnson, Public Works, reminded Council that the city lost its maintenance contractor for the 201
332 Septic System last year which has required him to coordinate the repairs to the 201 system; when needed, he has
333 sought advice from the consulting engineers.

334 Ross asked if the city could get some sort of warranty on these pump repairs. He asked if this contractor
335 would be doing any of the upgrade work in the future.

336 Hankee stated that this is a small company contractor who can complete the necessary repairs but is not of
337 the size or scope to bid the upgrade or new wastewater treatment work.

338 It was noted that the upgrade and connection of the 201 system to the new wastewater collection and
339 treatment system should be placed at the top of the staging list to get done right away in the project.

340 Nelson suggested that the city send letters to the 201 households explaining these repairs.

341
342 **Motion/Second: Bend/Nelson. To authorize necessary repairs as soon as possible to the 201 system lift**
343 **station, in the amount of \$2,098, up to a cost not to exceed \$3,000 for other unexpected fixes uncovered in**
344 **the repairs. Motion carried 5-0-0.**

345
346 **C. Administration –** [Items 9C2, Bruce Paddock Appeal and 9C5, 2016 Preliminary Budget & Levy were
347 moved up on the agenda to accommodate those in attendance for those particular items.]

348
349 1. [Item 9C2] Appeal of the Council's Denial of the Bruce Paddock Variance Application for the
350 property on 33rd Street with PID# 22.028.20.14.0064 – Mayor Bend announced that the City Council was
351 sitting as the Board of Appeals.

352 Attorney Knaak affirmed that as the Board of Appeals the Council will hear a new reconsideration of the
353 variance application.

354 David Snyder, representing the applicant, apologized for not being able to be in attendance at meetings to
355 answer questions about the application. He spoke to the specific issues raised by walking Council through the
356 site survey. The survey, which had been revised in July, showed 10 foot setbacks from the lot line on both sides
357 of the driveway; the proposed house footprint of 2,752 sq. ft. showed that it could meet setbacks from the slopes
358 greater than 12% and that there is no prohibition to building on a lot with slopes, only that they needed to be
359 respectful of the conditions and comply with zoning restrictions. He pointed out the manmade wall and stated
360 the wall could be maintained or removed, and they would follow the Council's recommendation, but pointed out
361 there was no prohibition to deleting a manmade structure from a site. Snyder pointed out that 87% of the parcels
362 in the VHS were smaller than the minimum size adopted in 2008 to accommodate requirements for septic and
363 wells. He stated the city's process was to determine and show buildability of the site through a variance. He felt
364 the survey shows buildability. He stated that the three variance factors will be met: the parcel use is reasonable

365 as a single dwelling; it consists of two historically platted lots plus a portion of land by the vacated 33rd Street,
366 which is bigger than several parcels already built upon in the Village; and, it won't change the essential
367 character of the neighborhood, and in fact, the natural area to the west buffers any notion that the parcel is too
368 small. He ensured the parcel shall comply with all other zoning and building requirements.
369

370 Council Discussion

371 Council wished to delete the previous findings and add several findings and conditions to the variance request.
372 They were:

373
374 Findings

- 375 1. The property cannot be put to a reasonable use without a variance.
- 376 2. The parcel was a pre-existing non-conforming lot.
- 377 3. The proposed house meets setbacks.
- 378 4. The proposed house meets impervious surface requirements in the VHS District.
- 379 5. The conditions of the property are not by the actions of the owner.
- 380 6. Granting the variance will not give special privilege to the owner.
- 381 7. Granting the variance will not change the essential character of the neighborhood.

382
383 Conditions

- 384 1. The house must meet all setback requirements.
- 385 2. The house must meet impervious coverage requirements.
- 386 3. The applicant agrees to limit the size of the house on the lot as shown on the survey (2,752 s.f.).
- 387 4. The house plan must comply with the Heritage Preservation Commission design review and
388 recommendations.
- 389 5. The applicant must provide a grading and erosion control plan, and the plan must be approved by
390 the City Engineer.
- 391 6. The house shall be constructed according to the site plan provided with the application subject to
392 revisions as required or approved by the City Engineer and/or the Zoning Administrator.
- 393 7. The variance shall be valid until one year after the municipal sewer system is available to the
394 property.
- 395 8. No building permit shall be issued for the parcel until the city sewer system is available.
- 396 9. Approval of the variance is contingent upon approval of the DNR, if required.
- 397 10. The variance approval is contingent on the parcel getting a sewer connection.
- 398 11. The applicant agrees to sign an assessment agreement and waiver to pay the costs required to hook
399 up to the city sewer system.
- 400 12. The parcel must meet all other city requirements for a buildable lot, other than size.
- 401 13. The applicant shall comply with all requirements by the Valley Branch Watershed District, the City
402 Engineer and any other controlling agency for additional mitigation or other conditions to comply
403 with requirements.

404
405 It was noted that the Assessment Roll for the Feasibility Study for the project would be updated to include a
406 residential assessment for this parcel.
407

408 **Motion/Second: Bend/Nelson. To modify Resolution 2015-54 by approving the variance application for**
409 **the Bruce Paddock property on 33rd Street with PID 22.028.20.14.0064 with deletion of the previous**
410 **findings and adding the above stated findings and conditions. ROLL CALL: All Ayes. Motion carried 5-**
411 **0-0.**

412
413 Bend announced that the Council would come out of Board of Appeals status for the rest of the agenda.
414

415 2. [Item 9C5] 2016 Preliminary Budget and Tax Levy – Resolutions 2015-66 and 2015-67 –
416 Administrator Moorse called attention to the 2016 Preliminary Budget Overview that reflects the effort to

417 expand and upgrade high speed internet access throughout the City, the initial debt service payments related to
418 the downtown improvement projects, and additional funding for roadway maintenance. The proposed 2016
419 General Fund expenditures are \$1,197,633, an increase of \$63,249 or 5.6%, over the 2015 budget. Moose
420 reviewed the key items affecting the General Fund expenditures as follows:

- 421 • Crack sealing and seal coating expenditures have increased by \$3,000, or 5.6%
- 422 • Road surface maintenance and pothole repair expenditures have increased \$16,000 or 53.3%,
423 to reflect actual expenditure levels and maintenance needs.
- 424 • Brush and tree trimming and mowing along roadways and culvert repair expenditures have
425 increased \$14,000 or 56% to reflect actual expenditure levels and maintenance needs.
- 426 • Building Inspection Fees are up \$5,250 or 23.1% to reflect additional building and remodeling.
427 (These expenditures are offset by \$8,000 in building permit revenues, an increase of 12.3%.)
- 428 • City Administrator pay is increasing by \$5,887, or 6.6%, due to the 3% general cost-of-living
429 adjustment and a step adjustment.
- 430 • Fire and Ambulance service expenditures are up \$12,940, or 5.9%, which reflects the Lower
431 St. Croix Valley Fire Department's \$20,990, or 4.91% increase in its charges to its contracted
432 cities and a larger cost share for Afton due to the cost allocation formula. The 4.91% increase
433 to Afton is based on a \$56,766, or 13.4% increase in operating expenses. The two largest
434 operating expense increases are a \$19,000, or 25% increase in Firefighter pay, and a \$21,500,
435 or 71.7 % increase related to the part-time Fire Administrator position becoming full-time.
- 436 • Police Service expenditures are up \$2,100, or 1.2% based on the estimated cost increase from
437 the Washington County Sheriff's Department.

438 Moose summarized the proposed budget and tax levy would result in the City's share of property taxes on a
439 home valued at \$200,000 being \$568.27, an increase of \$67.17 or 13.40% over 2015. For a home valued at
440 \$500,000 the City's share of property taxes would be \$1,571.55, an increase of \$185.74 or 13.40% over 2015.
441 For a commercial property valued at \$500,000, the city's share of property taxes would be \$2,907.37, an
442 increase of \$343.63 or 13.40%.

443 444 Council Discussion

445 It was noted that the Preliminary Levy can be reduced, but not increased, prior to final approval in
446 December.

447 Palmquist stated that he has given suggestions to Administrator Moose to reduce some items, but he needs
448 additional information. He would approve the preliminary, but would like to have the levy reduced.

449 Ross stated he has received 70 emails in support of the budget and cost to improve the internet access in
450 Afton, one phone call stating "watch the purse strings." Most have commented "it's about time" to upgrade
451 infrastructure in Afton. He questioned whether \$168 per year increase is such a big number if City Council is
452 providing residents what they want.

453 Richter stated he would like more discussion on the contribution for engineering expenses only covered by
454 the short-term loan and the DNR match, as they were NOT included in the 2016 budget.

455 Accountant Niedzwiecki stated the debt service levy reflects the expenses and shows paying back the
456 Temporary Bond plus the ongoing debt of two Public Facilities Authority bonds.

457 Bend indicated he has had two types of comments by residents. One was that the Village improvements are
458 important, both environmentally and for infrastructure. The second was that they'd rather pay taxes now, rather
459 than pay taxes for paying back borrowed money.

460 Moose commented to Richter's concern that the expenses for debt service should be able to be pulled
461 together before December.

462
463 **Motion/Second: Palmquist/Nelson. To adopt Resolution 2015-66 approving the Preliminary 2016 Budget**
464 **as presented in Attachment A in the amount of \$2,088.801. ROLL CALL: Ayes-Nelson, Ross, Palmquist,**
465 **Bend. Nay-Richter. Motion carried 4-1-0.**

466

467 **Motion/Second: Palmquist/Nelson. To adopt Resolution 2015-67 as presented approving the Preliminary**
468 **2016 Tax Levy in the amount of \$1,926,467 for certification to the County before September 30, 2015.**
469 **ROLL CALL: Ayes-Nelson, Ross, Palmquist, Bend. Nay-Richter. Motion carried 4-1-0.**
470

471 **Final Budget and Tax Hearing: There was no discussion changing the proposed date and time for the**
472 **Budget and Tax Hearing for adopting the Final 2016 Budget and Tax Levy, therefore the Truth in**
473 **Taxation Budget and Tax Hearing will be held at the beginning of the December City Council meeting on**
474 **December 15, 2015 at 7:00 p.m.**
475

476 3. Blondo Proposal for Consulting Services Regarding the Section 106 Historic Building Impact
477 Assessment Related to the Downtown Improvement Projects – Administrator Moose reviewed that the MPCA
478 Board’s approval of the City’s Wastewater Collection and Treatment System Facility Plan permit included the
479 condition that the comments from the State Archeologist and the State Historic Preservation Office (SHPO) be
480 considered. The State Archeologist has approved the plan revisions that avoid impacts to the effigy mound.
481 SHPO requested additional information regarding the impact on the Cushing Hotel (Afton House), as it is on the
482 National Register of Historic Places. The City’s historical review consultant, Blondo Consulting, has assessed
483 the impact to the Afton House, and has determined no effects. His assessment report has been provided to
484 SHPO. SHPO has until late September to provide comments regarding the assessment report. Because a portion
485 of the funding for the downtown improvement projects is coming from federal funds, a Section 106 historic
486 building impact assessment needed to be conducted. The Council approved funding in the amount of \$4,000 for
487 a proposal from Blondo Consulting to initiate a Section 106 process. The proposal covered both the work related
488 to responding to the EAW comments from the State Historic Preservation Office (SHPO) (i.e. assessment of
489 potential impacts to the Cushing Hotel (Afton House) which is on the National Register of Historic Places), as
490 well as assessing the effects on historic buildings on the wastewater treatment system site; both have been
491 completed. Moose indicated that Blondo Consulting has also assisted in preparing tribal consultation letters
492 related to the treatment system, which were sent to the appropriate tribes.

493 Moose explained that to complete the 106 process, an assessment of effects of the downtown
494 improvement projects on historic buildings is needed. This requires an architectural inventory and evaluation of
495 historic buildings in the downtown area, and assessment of project effects. It also requires coordination with the
496 State Historic Preservation Office and the United States Army Corps of Engineers. This work is beyond the
497 scope of the initial proposal from Blondo Consulting. To fully complete the Section 106 process Steven Blondo
498 Consulting has proposed a scope of work and cost for an amount of \$5,000.
499

500 Council Discussion

501 Palmquist felt the first expense approval of \$4,000 covered completing the Section 106 process. He
502 commented that zero (0) of the last five years of recipients of the Public Facilities Authority funding have been
503 required to complete this Section 106 process.

504 Bend asked if Blondo’s original bid included the Section 106 process, as there were buildings over 50 years
505 old known at the beginning of the process.

506 Hankee stated the original proposal was for Phase I archeological work; this Phase II work is to investigate
507 or report on anything that “came up” in Phase I.
508

509 **Motion/Second: Bend/Nelson. To approve the proposal from Blondo Consulting as amended to fully**
510 **complete the Section 106 process for the Downtown Improvement Projects at a cost not to exceed \$5,000.**
511 **The Blondo Consulting proposal was amended to include that if anything further comes to light, the**
512 **requirements will be met completely by this proposal and cost. Motion carried 5-0-0.**
513

514 4. Jon and Elizabeth Kroschel Request for Noise Ordinance Exemption for Event at 15106 50th Street
515 – Administrator Moose summarized that Jon and Elizabeth Kroschel, 15106 50th St. S., have requested the City
516 Council consider waiving noise ordinance enforcement on Friday, October 3, 2015 for an event they are hosting
517 as a fundraiser for a local food shelf that will include a live band playing outdoors until 11:00 p.m. This is the

518 same type of event they have held in previous years. The City has not received complaints regarding these
519 events in the past.

520

521 **Motion/Second: Nelson/Palmquist. To approve waiving the noise ordinance enforcement for a special**
522 **event at 15106 50th St. S on October 3, 2015 until 11:00 p.m. Motion carried 5-0-0.**

523

524 5. Historian for Local Designation of Historic Properties – Administrator Moose explained the City
525 obtained grant funding of \$20,000 to hire an historian to conduct research and prepare local designation
526 nomination forms for historic properties in Afton. The City received proposals from two historians. The total
527 cost of the proposal from Thomas R. Zahn & Associates is \$19,750. The total cost of the proposal from
528 Woodward Heritage and Archeological Services is \$19,838. Moose indicated the Design Review/Heritage
529 Preservation Commission (DR/HPC) reviewed the proposals at its August 16, 2015 meeting, and recommended
530 accepting the proposal from Thomas R. Zahn & Associates, based on Zahn having more experience, specifically
531 with the completion of local designation nomination forms, and the positive experience the Commission had
532 working with Zahn to develop an updated set of historic preservation design guidelines for the Old Village area.

533

534 **Motion/Second: Palmquist/Nelson. To approve the proposal and authorize Thomas R. Zahn & Associates**
535 **to conduct historic research and complete local designation nomination forms for thirteen historic**
536 **properties in Afton, at a cost not to exceed \$19,750. Motion carried 5-0-0.**

537

538 6. Policy Regarding Burning Permits in the Village Historic Site (VHS) District – Administrator
539 Moose recounted that the Fire Department regularly issues burning permits for brush in the rural area of the
540 City, but does so rarely in the VHS District. The City does not have a policy regarding larger brush fires vs.
541 recreational fires in the VHS District. While large brush fires are rare in the VHS District, the City has received
542 complaints regarding a large brush fire in the VHS District. The complaints were related to smoke and a large
543 amount of ash from the fire being blown onto neighboring properties. Due to the small lots in the VHS District,
544 staff recommends the Council consider limiting burning permits in the VHS District to small recreational fires
545 and prohibiting larger brush fires.

546

547 **Council directed the issue to the Planning Commission regarding a policy to limit burning permits in the**
548 **VHS District to small recreational fires and prohibiting larger brush fires, including restricting brush**
549 **coming from onsite only and that the fire needs to be an appropriate distance away from any adjacent**
550 **structures.**

551

552 7. Washington County Septic Ordinance Revisions – Land Spreading of Septage – Administrator
553 Moose stated that in April 2015, Washington County approved an updated septic ordinance which includes
554 new state laws. The City now has one year from the County's adoption of the ordinance to adopt the updated
555 ordinance. There is one item that has been added to the ordinance that is of concern to staff and has raised
556 concerns from some residents. This is the land spreading of septage. Land spreading of septage involves septic
557 pumbers spreading the septage on agricultural land rather than hauling it to a wastewater treatment plant. Prior
558 to adopting the updated septic ordinance, staff recommends additional review of the land spreading of septage
559 to determine if this is something the City wants to allow.

560

561 **Council directed the issue to the Planning Commission regarding the updated Washington County septic**
562 **ordinance, particularly the land spreading of septage. Information they should discuss included what**
563 **types of septage is allowed by this new County ordinance, the time of year when septage might be allowed,**
564 **what other city's are allowing and whether the City will require a spreading permit.**

565

566 8. Tree Removals on Putnam Boulevard – Administrator Moose stated there are two trees that are
567 leaning over the portion of Putnam Boulevard that is closed to traffic, but used by pedestrians and bicyclers.
568 Staff obtained a price quote of \$300 to drop the tree but leave most of it next to the road, and a price quote of
569 \$500 to drop the tree and remove it.

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Motion/Second: Palmquist/Bend. To approve Tri County to drop the two trees leaning onto Putnam Boulevard, but to move the trees off to the side of the road, so as not to obstruct the roadway, for a cost not to exceed \$300. Motion carried 5-0-0.

9. Schedule a Special City Council Work Session – Administrator Moore reviewed that several topics have come forward that Council would like to discuss at a Work Session. He indicated that some topics could be addressed with less than a full Council, but the City Administrator performance review should be done with a full Council.

Staff was directed to schedule a City Council Work Session through “Doodle Poll” and include the items for the agenda on the date request, if possible, for the following topics, and any others as may be added: 1) Review funding sources for the Downtown Improvement Projects; 2) City Administrator Performance Review; 3) Opening Putnam Boulevard to through traffic; 4) other Engineering items.

10. Schedule Special Council Meeting for 3-City Facilitated Communication Process – Administrator Moore reported that the dates provided for a 3-city facilitated communication process were not workable, so the County has provided additional dates. Council checked their calendars for the dates in October. The meeting will be held from 6:00 p.m. to 8:00 p.m.

None of the dates worked for all council members.

It was suggested that possible dates be selected for November.

Council preferred the meeting be guided by parameters, such as: NO bashing Afton; NO delaying the Afton project; NO third party participants; NO topic relating to Afton’s septic project.

Nelson indicated one of the topics he would like on the agenda is a review of the Fire District Joint Powers Agreement, as an example of how the cities should be working in cooperation. He stated there is currently no exit clause and the percent of contribution seems out of line to the number of calls from the Fire Department.

11. Organics Recycling – Administrator Moore reviewed the new state law requiring businesses to recycle in January 2016. A consulting company, Minnesota Waste Wise, working with Washington and Ramsey Counties on recycling initiatives, has been meeting with Afton businesses interested in receiving grant money to increase their recycling. Minnesota Waste Wise services are free to cities; they understand and are sensitive to Afton’s wish to limit truck traffic on our roads. They are aware that Afton contracts with only one solid waste hauler. They would like direction on whether Afton would like only ONE organics hauler for the businesses that wish to have organics recycled as part of their recycling plan.

Council directed staff and Minnesota Waste Wise that Afton would like to have only one single organics hauler contracted to serve Afton businesses interested in organics recycling.

D. Committee Reports -

1. Public Works – none

2. Personnel – Software Consultant is setting up a 60-day demonstration trial period for the task management software. The Personnel Committee has been discussing a pay increase for the Deputy Clerk per the City Administrator’s recommendation. Administrator Moore commented that the Deputy Clerk runs the City Office efficiently and smoothly, pitches in to help with the Administrator’s work, prepares the Ordinances and Resolutions, as a few examples in this effort to recognize her performance. Bend added that the Committee will put together a recommendation for Council approval.

3. Parks – reviewed the concept for a Park restroom; they will meet this month if they have more detailed drawings to review.

4. HPC/DR – received the two proposals for Historians; they recommended Tom Zahn as he has significant experience in the historic nomination process and did an excellent job on the Design Guidelines in 2012. This consultant is being funded by two \$10,000 grants from the MN Historical Society and the State

621 Historic Preservation Office. Zahn will attend the September 23rd HPC meeting to get started on the nomination
622 process.

623 5. High Speed Internet – Afton’s letter of commitment is almost ready to send to CenturyLink;
624 indications are that the internet service costs will be much less than was estimated.

625 6. Natural Resources and Groundwater – tomorrow’s meeting is at Belwin; looking for mutual
626 cooperation for protection of natural resources.

627
628 **10. COUNCIL, CONSULTANT AND STAFF REPORTS, ANNOUNCEMENTS AND UPDATES**

- 629 A. Ward 1 Council Member Palmquist – none.
630 B. Ward 2 Council Member Richter – none.
631 C. Ward 3 Council Member Ross – none.
632 D. Ward 4 Council Member Nelson – Gateway Corridor meeting had nothing of significance for Afton.
633 E. Mayor Bend – none.
634 F. City Attorney Knaak – Report on file; the condemnation process is going forward with the
635 appointments of commissioners.
636 G. City Administrator Moorese – none.

637
638 **11. ADJOURN –**

639
640 **Motion/Second: Nelson / Ross, Bend, Richter & Palmquist. To adjourn the meeting at 10:22 p.m. Motion**
641 **carried enthusiastically 5-0-0.**

642
643 Respectfully submitted by:

644
645
646 _____
647 Kim Swanson Linner, Deputy Clerk

648
649 **Approved by Council (on October 20, 2015) as (check one): Presented: _____ Amended: _____**

650
651
652 **Signed by Mayor Richard Bend _____ Date _____**

SUPPLEMENTAL PACKET

T.B.

CITY OF AFTON MINOR SUBDIVISION PERMIT APPLICATION

Owner	Address	City	State	Zip	Phone
Joseph Guy and Kimberly Reithmeyer	1093 Lake Edith Lane S	Afton	MN	55001	(651) 402-8403
Joseph Guy Reithmeyer ETAL	1093 Indian Trail S	Afton	MN	55001	(651) 402-8403
(Each landowner of ETAL will submit an individual application)					
Applicant (if different than owner)	Address	City	State	Zip	Phone
Project Address		AFTON	MN	55001	
1093 Lake Edith Lane S					
1093 Indian Trail S					
Zoning Classification	Existing Use of Property	PID# or Legal Description			
RR	Single Family Dwelling	04.028.20.43.0003			
RR	Agricultural	04.028.20.43.0004			
Description of Request					
Land Division in accordance with Section 12-1262 of the Afton Zoning Ordinance					
Adjoining property owners wish to exchange or otherwise divide land with intent of enlarging one of the parcels.					
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.					
ETAL					
Cheryl Ann Frenette, a single person					
<i>Cheryl Ann Frenette</i>					9-17-15
Signature of Owner/Applicant					Date
Make checks payable to City of Afton:					
<u>FEES:</u>		<u>DEPOSITS:</u>			
Minor Subdivision	\$250.00	Minor Subdivision	\$1,500.00	TOTAL:	\$1,750.00
				DATE PAID:	9/14/2015
				CHECK #:	#15666
				RECVD. BY:	_____
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

CITY OF AFTON MINOR SUBDIVISION PERMIT APPLICATION

Owner	Address	City	State	Zip	Phone
Joseph Guy and Kimberly Reithmeyer	1093 Lake Edith Lane S	Afton	MN	55001	(651) 402-8403
Joseph Guy Reithmeyer ETAL	1093 Indian Trail S	Afton	MN	55001	(651) 402-8403
<i>(Each landowner of ETAL will submit an individual application)</i>					
Applicant (if different than owner)	Address	City	State	Zip	Phone
Project Address		AFTON	MN	55001	
1093 Lake Edith Lane S					
1093 Indian Trail S					
Zoning Classification	Existing Use of Property	PID# or Legal Description			
RR	Single Family Dwelling	04.028.20.43.0003			
RR	Agricultural	04.028.20.43.0004			
Description of Request					
Land Division in accordance with Section 12-1262 of the Afton Zoning Ordinance					
Adjoining property owners wish to exchange or otherwise divide land with intent of enlarging one of the parcels.					
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.					
ETAL					
Clinton A. Nelson and Virginia J. Nelson, Husband and wife					
<i>Clinton A. Nelson and Virginia J. Nelson</i>					<i>9/15/2015</i>
Signature of Owner/Applicant					Date
Make checks payable to City of Afton:					
<u>FEES:</u>		<u>DEPOSITS:</u>			
Minor Subdivision	\$250.00	Minor Subdivision	\$1,500.00	TOTAL:	\$1,750.00
				DATE PAID:	<u>9/14/2015</u>
				CHECK #:	<u>#15666</u>
				RECVD. BY:	_____
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

CITY OF AFTON MINOR SUBDIVISION PERMIT APPLICATION

Owner	Address	City	State	Zip	Phone
Joseph Guy and Kimberly Reithmeyer	1093 Lake Edith Lane S	Afton	MN	55001	(651) 402-8403
Joseph Guy Reithmeyer ETAL	1093 Indian Trail S	Afton	MN	55001	(651) 402-8403

(Each landowner of ETAL will submit an individual application)

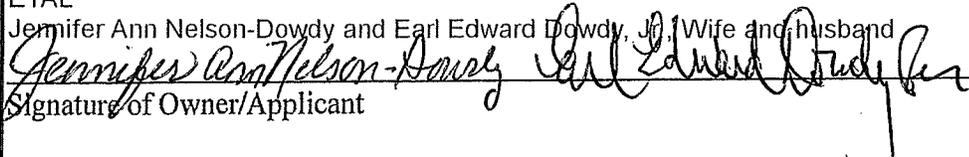
Applicant (if different than owner)	Address	City	State	Zip	Phone

Project Address	City	State	Zip
1093 Lake Edith Lane S 1093 Indian Trail S	AFTON	MN	55001

Zoning Classification	Existing Use of Property	PID# or Legal Description
RR	Single Family Dwelling	04.028.20.43.0003
RR	Agricultural	04.028.20.43.0004

Description of Request
 Land Division in accordance with Section 12-1262 of the Afton Zoning Ordinance
 Adjoining property owners wish to exchange or otherwise divide land with intent of enlarging one of the parcels.

By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.

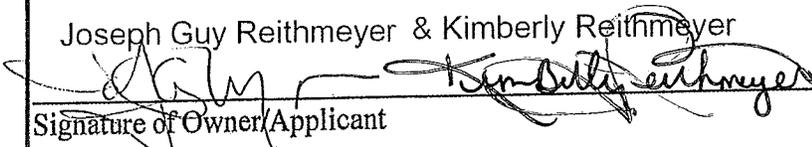
ETAL
 Jennifer Ann Nelson-Dowdy and Earl Edward Dowdy, Jr. Wife and husband

 Signature of Owner/Applicant _____ Date 9/24/15

Make checks payable to **City of Afton:**

<u>FEES:</u>	<u>DEPOSITS:</u>	
Minor Subdivision \$250.00	Minor Subdivision \$1,500.00	TOTAL: \$1,750.00
		DATE PAID: <u>9/14/2015</u>
		CHECK #: <u>#15666</u>
		RECVD. BY: _____

ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION

CITY OF AFTON MINOR SUBDIVISION PERMIT APPLICATION

Owner	Address	City	State	Zip	Phone
Joseph Guy Reithmeyer	1093 Lake Edith Lane S	Afton	MN	55001	(651) 402-8403
Joseph Guy Reithmeyer ETAL	1093 Indian Trail S	Afton	MN	55001	(651) 402-8403
<small>(See detail attached for all owners)</small>					
Applicant (if different than owner)	Address	City	State	Zip	Phone
Project Address					
1093 Lake Edith Lane S		AFTON	MN	55001	
1093 Indian Trail S					
Zoning Classification	Existing Use of Property	PID# or Legal Description			
RR	Single Family Dwelling	04.028.20.43.0003			
RR	Agricultural	04.028.20.43.0004			
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Joseph Guy Reithmeyer & Kimberly Reithmeyer					9/14/2015
					9/14/2015
Signature of Owner/Applicant					Date
Make checks payable to City of Afton :					
<u>FEES:</u>		<u>DEPOSITS:</u>			
Minor Subdivision	\$250.00	Minor Subdivision	\$1,500.00	TOTAL:	\$1,750.00
				DATE PAID:	9/14/2015
				CHECK #:	#15666
				RECVD. BY:	_____
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

CITY OF AFTON MINOR SUBDIVISION PERMIT APPLICATION

Owner	Address	City	State	Zip	Phone
Joseph Guy and Kimberly Reithmeyer	1093 Lake Edith Lane S	Afton	MN	55001	(651) 402-8403
Joseph Guy Reithmeyer ETAL	1093 Indian Trail S	Afton	MN	55001	(651) 402-8403
<small>(Each landowner of ETAL will submit an individual application)</small>					
Applicant (if different than owner)	Address	City	State	Zip	Phone
Project Address		AFTON	MN	55001	
1093 Lake Edith Lane S 1093 Indian Trail S					
Zoning Classification	Existing Use of Property	PID# or Legal Description			
RR	Single Family Dwelling	04.028.20.43.0003			
RR	Agricultural	04.028.20.43.0004			
Description of Request					
Land Division in accordance with Section 12-1262 of the Afton Zoning Ordinance					
Adjoining property owners wish to exchange or otherwise divide land with intent of enlarging one of the parcels.					
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.					
ETAL					
Robert W. Nelson and Kathryn Nelson, Husband and wife					
<i>Robert W. Nelson / Kathryn Nelson</i>					<i>9.29.2015</i>
Signature of Owner/Applicant					Date
Make checks payable to City of Afton:					
FEES:		DEPOSITS:			
Minor Subdivision	\$250.00	Minor Subdivision	\$1,500.00	TOTAL:	\$1,750.00
				DATE PAID:	<u>9/14/2015</u>
				CHECK #:	<u>#15666</u>
				RECVD. BY:	_____
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

CITY OF AFTON MINOR SUBDIVISION PERMIT APPLICATION

Owner	Address	City	State	Zip	Phone
Joseph Guy and Kimberly Reithmeyer	1093 Lake Edith Lane S	Afton	MN	55001	(651) 402-8403
Joseph Guy Reithmeyer ETAL	1093 Indian Trail S	Afton	MN	55001	(651) 402-8403
<small>(Each landowner of ETAL will submit an individual application)</small>					
Applicant (if different than owner)	Address	City	State	Zip	Phone
Project Address					
1093 Lake Edith Lane S 1093 Indian Trail S		AFTON	MN	55001	
Zoning Classification	Existing Use of Property	PID# or Legal Description			
RR	Single Family Dwelling	04.028.20.43.0003			
RR	Agricultural	04.028.20.43.0004			
Description of Request					
Land Division in accordance with Section 12-1262 of the Afton Zoning Ordinance Adjoining property owners wish to exchange or otherwise divide land with intent of enlarging one of the parcels.					
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.					
ETAL Susan J Nelson-Belko and Wayne Andrew Belko, Wife and husband					
<i>Susan J. Nelson-Belko, Wayne Andrew Belko</i> Signature of Owner/Applicant					<u>09-29-2015</u> Date
Make checks payable to City of Afton :					
<u>FEES:</u>		<u>DEPOSITS:</u>			
Minor Subdivision	\$250.00	Minor Subdivision	\$1,500.00	TOTAL:	\$1,750.00
				DATE PAID:	<u>9/14/2015</u>
				CHECK #:	<u>#15666</u>
				RECVD. BY:	_____
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

CITY OF AFTON MINOR SUBDIVISION PERMIT APPLICATION

Owner Joseph Guy and Kimberly Reimeyer Joseph Guy Reimeyer, ETAL <small>(Each member of ETAL will submit an individual application)</small>	Address 1093 Lake Eden Lane S 1003 Indian Trail S	City Afton Afton	State MN MN	Zip 55001 55001	Phone (612) 407-4411 (612) 407-0453
Applicant (if different than owner)	Address	City	State	Zip	Phone
Project Address 1093 Lake Eden Lane S 1003 Indian Trail S		AFTON	MN	55001	
Zoning Classification	Existing Use of Property	TID# or Legal Description			
RR	Single Family Dwelling	04 028 20 43 0003			
RR	Agricultural	04 028 20 43 0004			
Description of Request Land Division in accordance with Section 12-1262 of the Afton Zoning Ordinance Adjoining property owners wish to exchange or otherwise divide land with intent of enlarging one of the parcels					
<small>By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve other excavating or soil borings. If you would like to be present during this evaluation, please contact the City.</small>					
ETAL Linda Nelson Fox and Walter D. Fox, Wife and Husband					
<i>Linda Nelson Fox</i> <i>Walter D. Fox</i>					10/1/2015
Signature of Owner/Applicant					Date
Make checks payable to City of Afton:					
FEES:		DEPOSITS:			
Minor Subdivision	\$250.00	Minor Subdivision	\$1,300.00	TOTAL:	\$1,750.00
				DATE PAID:	9/14/2015
				CHECK #:	815666
				RECVD. BY:	_____
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

Washington County

Washington County Department of
Property Records and Taxpayer Services
14949 62nd Street North
Stillwater, MN 55082

Washington County Parcel Information		
Parcel Number	Status	Last Update
04.028.20.43.0004	Active	9/15/2015 12:56:47 AM
Current Owner: REITHMEYER JOSEPH G ETAL 1093 INDIAN TRL AFTON, MN 55001		Property Address: 1093 INDIAN TRL S AFTON MN 55001
Taxing District 1005 AFTON-834-VBWS		
Tax Description		
SE1/4-SW1/4 EXCEPT W 330FT SUBJ TO CONDITIONS & EXC PT SE1/4-SW1/4 & SW1/4 SE1/4 STRIP LAND 33FT WIDE RUN S LN SW1/4-SE1/4 TO N LN SE1/4-SW1/4 WITH C/L SD STRIP DESC: BEG AT PT S LN SW1/4-SE1/4 388.4FT E OF SW COR RUN THN N40DEG28'W RT ANG 49DEG32' TO S LN 639FT THN N19DEG30'W 447.1FT TO PT DESC PT"A" THN N9DEG 33'E 140FT THN N26DEG53'E 130FT THN N4DEG07'E 160FT TO N LN SE1/4-SW1/4 TOG WITH PTS TRACT S4-LYNG ELY OF STRIP & NLY OF LN DESC: BEG SD PT"A" THN RUN N57DEG E 496.85FT THN N62DEG27'E 234.55FT 1286.7FT N OF S LN SECc4 THN E PAR WITH S LN TO E LN SD1/4 1/4-EAS SUBJ TO BNDRY AGRE FIL 9-24-71 BK DD PG 638 & EXC PT: SE1/4-SW1/4 E 330FT W 660FT SUBJ TO INDN TRL S & EXC PT: SE1/4-SW1/4 SEC 4 & PT SW1/4 SE1/4 BEG AT SW COR SW1/4 SE1/4 THN N89DEG52'06"E BEAR ORIN WASH CO COR SYS S ZONE ALG S LN SD1/4 366.71FT TO SWLY LN TRK DES BK 299 DEDS PG 482&PT REF PT"A" THN N40DEG35'54"W ALG SD SWLY LN 627.98 FT TO PT REF PT "B" THN N19DEG37'54" ALG SWLY LN 454.43FT TO PT REF PT"C" THN N09DEG25'06"E ALG WLY LN SD TRK DESC BK 299 DDS PG 482 146.79 FT THN N26DEG45'06"E ALG WLY LN 90FT THN N0DEG59'16"W 190.58FT TO N LN SD SE1/4-SW1/4 THN S89DEG58'09"W 524.92 FT ALG N LN TO E LN W 660FT SD1/4 THN S00DEG35'26"E ALG E LN 1322.06 FT TO S LN SD1/4 THN N89DEG51'48"E ALG S LN 657.96FT TO PT BEG-SUBJ EAS & EXC:PT SE1/4-SW1/4 S4 & SW1/4 SE1/4 S4&THAT PT NW1/4-NE1/4 SEC9:BEG SW COR SW1/4-SE1/4 S4 THN N89DEG52'06"E BEAR ORIEN WASH CO CORD SYS S ZONE ALG S LN SW1/4-SE1/4 366.71FT TO SWL LN TRK DESC BK 299 DEEDS PG 482&PT BEG THN N40DEG35'54"W ALG SWLY LN 627.98FT THN N19DEG37'54"W ALG SWLY LN 446.19FT THN N56DEG52'06"E 33.94 FT THN SELY-SLY &SWLY ALG CRV CONCV TO W HAV CEN ANG 176DEG24'07"&RAD 60 FT 184.73FT-CHRD SD CRV BEARS S2DEG 33'39"E THN S27DEG21'35"E 108.65FT THN S19DEG37'54"E 147.58FT THN SLY ALG TANG CRV CONC E CEN ANG 20DEG58' 00"&RAD 370FT DIST 135.40FT THN S40 DEG35'54"E ALG TANG 233.28FT THN N89 DEG52'04"E 51.27FT THN (CONTINUED BELOW)		

Information & Links

APPRAISAL & VALUE INFORMATION with GIS MAP

IS YOUR PROPERTY ABSTRACT OR TORRENS?

OVERVIEW OF PROPERTY TAX INFORMATION

2015 TAX STATEMENT

2014 TAX STATEMENT

2013 TAX STATEMENT

2012 TAX STATEMENT

BACK OF TAX STATEMENT WITH LATE PAYMENT PENALTY SCHEDULE

2015 VALUATION NOTICE

BACK OF VALUATION NOTICE WITH APPEAL INFORMATION

MINNESOTA REVENUE PROPERTY TAX REFUND

Pay Your Property Tax by Credit Card or eCheck

No payment due for this account.

Cart: \$0.00

Online Payment Fees

Convenience Fees are charged for online property tax payments.

eCheck fee is \$1.00 per transaction. Be sure to use the 9 digit bank routing number from your checking account, not the internal bank number from a savings or deposit slip. Pay multiple parcels in one transaction with the payment cart.

Credit Card fee is 2.39% of amount paid. American Express, Discover, MasterCard and Visa are accepted.

Fees are paid directly to a payment services provider to cover the costs of the online payment services and charges from the credit card companies.

A \$30 fee will be charged for

14949 62nd Street North PO Box 200
Stillwater, MN 55082-0200
(651) 430-6175 www.co.washington.mn.us

Property ID: 04.028.20.43.0004 Bill#: 94193

Taxpayer: CHERYL A FRENETTE
1131 INDIAN TRL S
AFTON MN 55001-9705

TAX STATEMENT			
2014 Values for Taxes Payable in 2015			
VALUES AND CLASSIFICATION			
	Taxes Payable Year:	2014	2015
Step 1	Estimated Market Value:	438,100	515,300
	Homestead Exclusion:		
	Taxable Market Value:	429,400	506,600
	New Improvements/ Expired Exclusions:		
Property Classification:	Seasonal Ag Non-Hstd Exempt	Seasonal Ag Non-Hstd Exempt	
Sent in March 2014			
Step 2	PROPOSED TAX		\$4,966.00
Did not include special assessments or referenda approved by the voters at the November election			
Sent in November 2014			
Step 3	PROPERTY TAX STATEMENT		
	First half taxes:	May 15	\$2,442.00
	Second half taxes:	November 15	\$2,442.00
	Total Taxes Due in 2015:		\$4,884.00

\$\$\$
REFUNDS?

You may be eligible for one or even two refunds to reduce your property tax. Read the back of this statement to find out how to apply.

Property Address:
1093 INDIAN TRL S
AFTON MN 55001

Description:

Section 04 Township 028 Range 020 SE1/4-SW1/4 EXCEPT W 330FT SUBJ TO CONDITIONS & EXC PT SE1/4-SW1/4 & SW1/4 SE1/4 STRIP LAND 33FT WIDE RUN S LN SW1/4-SE1/4 TO N LN SE1/4-SW1/4 WITH CL SD STRIP DESC; BEG AT PT S LN SW1/4-SE1/4 388.4FT E OF SW COR RUN THN N40DEG26'W RT ANG 49DEG32' TO S

Line 13 Special Assessment Detail:
COUNTRY ENVIRONMENTAL CHARGE PHE DEP 3.00

Principal: 3.00
Interest: 0.00

Tax Detail for Your Property:				
Taxes Payable Year:				
		2014	2015	
1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible.		<input type="checkbox"/>	\$0.00	
2. Use these amounts on Form M1PR to see if you are eligible for a special refund.			\$0.00	
Tax and Credits	3. Property taxes before credits	\$4,491.00	\$4,881.00	
	4. Credits that reduce property taxes			
	A. Agricultural market value credit	\$0.00	\$0.00	
	B. Other Credits	\$0.00	\$0.00	
	5. Property taxes after credits	\$4,491.00	\$4,881.00	
Property Tax by Jurisdiction	6. WASHINGTON COUNTY			
		A. County General	\$1,409.42	\$1,528.53
		B. County Regional Rail Authority	\$10.00	\$10.76
			\$1,292.16	\$1,405.13
	7. CITY OF AFTON			
	8. State General Tax	\$579.58	\$647.83	
	9. ISD 834 STILLWATER			
		A. Voter approved levies	\$152.96	\$149.70
		B. Other Local Levies	\$841.09	\$920.46
			\$45.11	\$47.78
10. Special Taxing Districts				
	A. Metropolitan Council	\$23.75	\$24.81	
	B. Metropolitan Mosquito Control	\$81.53	\$86.15	
	C. Valley Branch Watershed	\$55.40	\$59.85	
	D. County HRA			
		\$0.00	\$0.00	
	11. Non-school voter approved referenda levies	\$0.00	\$0.00	
	12. Total property tax before special assessments	\$4,491.00	\$4,881.00	
	13. Special assessments	\$3.00	\$3.00	
	14. TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS	\$4,494.00	\$4,884.00	

Agricultural homesteads may have received a supplemental agricultural homestead credit in October 2014. This credit was a reduction in property taxes payable in 2014. Minnesota Laws 2014, Chapter 308, Article 1, Section 14.

PAYABLE 2015 2nd HALF PAYMENT STUB

TO AVOID PENALTY PAY ON OR BEFORE: November 15

Property ID: 04.028.20.43.0004 Bill #: 94193



Taxpayer:
CHERYL A FRENETTE
1131 INDIAN TRL S
AFTON MN 55001-9705

Fold & detach at perforation & mail this stub with your 2nd half payment in the enclosed green envelope

Exempt Ag Non-Hstd Seasonal

SECOND HALF TAX AMT DUE

\$2,442.00

MAKE CHECKS PAYABLE TO:
Washington County
P.O. Box 200
Stillwater MN 55082-0200

CHECK
 CASH

No Receipt sent. Your canceled check is proof of payment. Do not send postdated checks.

0402820430004 2 00000000244200 9

PAYABLE 2015 1st HALF PAYMENT STUB

TO AVOID PENALTY PAY ON OR BEFORE: May 15

Property ID: 04.028.20.43.0004 Bill #: 94193



Taxpayer:
CHERYL A FRENETTE
1131 INDIAN TRL S
AFTON MN 55001-9705

Fold & detach at perforation & mail this stub with your 1st half payment in the enclosed green envelope

Exempt Ag Non-Hstd Seasonal

FIRST HALF TAX AMT DUE

\$2,442.00

MAKE CHECKS PAYABLE TO:
Washington County
P.O. Box 200
Stillwater MN 55082-0200

CHECK
 CASH

No Receipt sent. Your canceled check is proof of payment. Do not send postdated checks.

0402820430004 1 00000000244200 1



Department of Property Records
and Taxpayer Services

14949 62nd Street North PO Box 200
Stillwater, MN 55082-0200
(651) 430-6175 www.co.washington.mn.us

Property ID: 04.028.20.43.0003 Bill#: 4645

Taxpayer: JOSEPH GUY REITHMEYER
1093 LAKE EDITH LN S
AFTON MN 55001-9207

TAX STATEMENT			
2014 Values for Taxes Payable in 2015			
VALUES AND CLASSIFICATION			
	Taxes Payable Year:	2014	2015
Step 1	Estimated Market Value:	386,600	418,000
	Homeslead Exclusion:	2,600	
	Taxable Market Value:	382,400	416,400
	New Improvements/ Expired Exclusions:		
	Property Classification:	Res Hstd Exempt	Res Hstd Exempt
<i>Sent in March 2014</i>			
Step 2	PROPOSED TAX		\$4,390.00
<i>Did not include special assessments or referenda approved by the voters at the November election</i>			
<i>Sent in November 2014</i>			
Step 3	PROPERTY TAX STATEMENT		
	First half taxes:	May 15	\$2,166.00
	Second half taxes:	October 15	\$2,166.00
	Total Taxes Due in 2015:		\$4,332.00

\$\$\$
REFUNDS?

You may be eligible for one or even two refunds to reduce your property tax. Read the back of this statement to find out how to apply.

Property Address:
1093 LAKE EDITH LN S
AFTON MN 55001

Description:
Section 04 Township 028 Range 020 PT OF SW1/4-SE1/4 SD SEC 04 & PT NW1/4-NE1/4 S09T28R20 W DESC AS FOLL: COM AT THE SOUTH QUARTER CORNER OF SAID SECTION 4 THENCE NORTH 89 DEGREES 52 MINUTES 05 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 4 DISTANCE OF 835.00 FEET (DEDED AS EAST 83

Line 13 Special Assessment Detail:
COUNTRY ENVIRONMENTAL CHARGE PHE DEP 3.00

Principal: 3.00
Interest: 0.00

Tax Detail for Your Property:				
Taxes Payable Year:		2014	2015	
1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible. <input type="checkbox"/>			\$4,329.00	
2. Use these amounts on Form M1PR to see if you are eligible for a special refund.		\$4,373.00		
3. Property taxes before credits		\$4,373.00	\$4,329.00	
Tax and Credits	4. Credits that reduce property taxes			
	A. Agricultural market value credit	\$0.00	\$0.00	
	B. Other Credits	\$0.00	\$0.00	
5. Property taxes after credits		\$4,373.00	\$4,329.00	
Property Tax by Jurisdiction	6. WASHINGTON COUNTY	A. County General	\$1,254.14	\$1,256.65
		B. County Regional Rail Authority	\$8.90	\$8.84
	7. CITY OF AFTON		\$1,150.73	\$1,154.96
	8. State General Tax		\$0.00	\$0.00
	9. ISD 834 STILLWATER	A. Voter approved levies	\$875.74	\$639.15
		B. Other Local Levies	\$882.96	\$1,073.06
	10. Special Taxing Districts	A. Metropolitan Council	\$40.17	\$39.27
		B. Metropolitan Mosquito Control	\$21.14	\$20.39
		C. Valley Branch Watershed	\$72.61	\$70.81
		D. County HRA	\$49.34	\$49.19
11. Non-school voter approved referenda levies		\$17.27	\$16.68	
12. Total property tax before special assessments		\$4,373.00	\$4,329.00	
13. Special assessments		\$3.00	\$3.00	
14. TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS		\$4,376.00	\$4,332.00	

Agricultural homesteads may have received a supplemental agricultural homestead credit in October 2014. This credit was a reduction in property taxes payable in 2014.
Minnesota Laws 2014, Chapter 308, Article 1, Section 14.

PAYABLE 2015 2nd HALF PAYMENT STUB
TO AVOID PENALTY PAY ON OR BEFORE: October 15

Property ID: 04.028.20.43.0003 Bill #: 4645



Taxpayer:
JOSEPH GUY REITHMEYER
1093 LAKE EDITH LN S
AFTON MN 55001-9207

Fold & detach at perforation & mail this stub with your 2nd half payment in the enclosed green envelope
Exempt Res Hstd

ESCROW NOTE Your taxes have been sent to escrow agent WELLS FARGO REAL ESTATE & TAX SERVICES LLC. If you do not escrow your taxes, please pay the amount indicated in the box.

SECOND HALF TAX AMT DUE
\$2,166.00

MAKE CHECKS PAYABLE TO:
Washington County
P.O. Box 200
Stillwater MN 55082-0200

CHECK
 CASH

No Receipt sent. Your canceled check is proof of payment. Do not send postdated checks.

0402820430003 2 00000000216600 5

PAYABLE 2015 1st HALF PAYMENT STUB
TO AVOID PENALTY PAY ON OR BEFORE: May 15

Property ID: 04.028.20.43.0003 Bill #: 4645



Taxpayer:
JOSEPH GUY REITHMEYER
1093 LAKE EDITH LN S
AFTON MN 55001-9207

Fold & detach at perforation & mail this stub with your 1st half payment in the enclosed green envelope
Exempt Res Hstd

ESCROW NOTE Your taxes have been sent to escrow agent WELLS FARGO REAL ESTATE & TAX SERVICES LLC. If you do not escrow your taxes, please pay the amount indicated in the box.

FIRST HALF TAX AMT DUE
\$2,166.00

MAKE CHECKS PAYABLE TO:
Washington County
P.O. Box 200
Stillwater MN 55082-0200

CHECK
 CASH

No Receipt sent. Your canceled check is proof of payment. Do not send postdated checks.

0402820430003 1 00000000216600 7

BUILDING PERMIT APPLICATION

T.C.

Main Office: 436-5090

Building Official/Inspections: 436-6469

No. A-30-04

Project Address (if known)		Street	City	State	Zip
		14725 Afton Blvd	Afton	MN	55001
Legal Description and Parcel Identification Number				P.I.D.	
21.028.20.44.0008					
Owner Name	Street	City	State	Zip	Phone
Brad & Karyl Simonson		Same			
Contractor Name	Street	City	State	Zip	Phone
Ram					
Contractor's State License Number (required)			Expiration Date	Phone	
Use of Building			Completed Valuation (include Labor and Materials)		
Storage			\$21,000		
Class of Work: <input checked="" type="checkbox"/> New <input type="checkbox"/> Add <input type="checkbox"/> Alter <input type="checkbox"/> Repair <input type="checkbox"/> Move <input type="checkbox"/> Demolish <input type="checkbox"/> Remodel					
Total Building Area:	Bsmt.	1st	2nd	No. of Bathrooms	
	Garage	Open Porch	Deck(s)	Crawlspace	
Describe Work: pole bldg.					
<p>NOTICE: Separate permits are required for electrical works and installation of septic systems. The permit will become null and void if work or construction authorized is not commenced within 60 days, or if construction or work is suspended or abandoned for a period of 120 days at any time after work is commenced. Permit is valid for 1 year, all work must be complete within 1 year unless extension is applied for and approved.</p> <p>I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. This building permit may be suspended or revoked if the permit has been issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation of the City of Afton.</p>					
Signature of Applicant (Owner or Builder) <i>Karyl Simonson</i>				Date 4.19.04	

Fees due and payable to: City of Afton

Bldg. Permit: \$ 220.50

Plan Check: \$ 105.00

Surcharge: \$ 10.50

Park Fee: \$ _____

Plumbing: \$ _____

HVAC: \$ _____

Building Permit Approval

by: *Alvan Stursted* Date: 5-5-04
 Building Official

Date paid: 4/19/04

Amount: 336.00

Check #: 10530

**CITY OF AFTON
ACCOUNTING FORM FOR PLANNING/ PERMITS**

PERMIT # A-30-04 VALUATION: 21,000

NAME OF APPLICANT: BRAD + KARYL SIMONSON

ADDRESS: 14725 AFTON BLVD

PHONE NUMBER: 434-6600

APPLICANT REQUEST: CUP + POLE BLDG

TOTAL AMOUNT OF CHECK: 396⁰⁰ CHECK# 10536

- #2001 - DEVELOPER/DRIVEWAY DEPOSIT***** _____
- #2107 - INSPECTION FEES/PLAN CHECK***** 105.00
- #4400 - BUILDING PERMIT FEE***** 220.50
- #4420 - SURCHARGES***** 10.50
- #4425 - PARK FEES ***** _____
- #4440 - ZONING FEES***** 60.00
- #4401 - FINAL INSPECTION DEPOSIT***** _____

___ Check/Accountant copy Permit Book copy ___ Park Book copy

555246368841
BRADLEY J. SIMONSON
KARYL J. SIMONSON
14725 AFTON BLVD. S
AFTON, MN 55001

17-1-235
910
5515221256
Date 4.19.04 10536

Pay to the Order of City of Afton \$ 396⁰⁰
Three hundred ninety six & ⁰⁰/₁₀₀ Dollars Security Features Included. Details on Back.

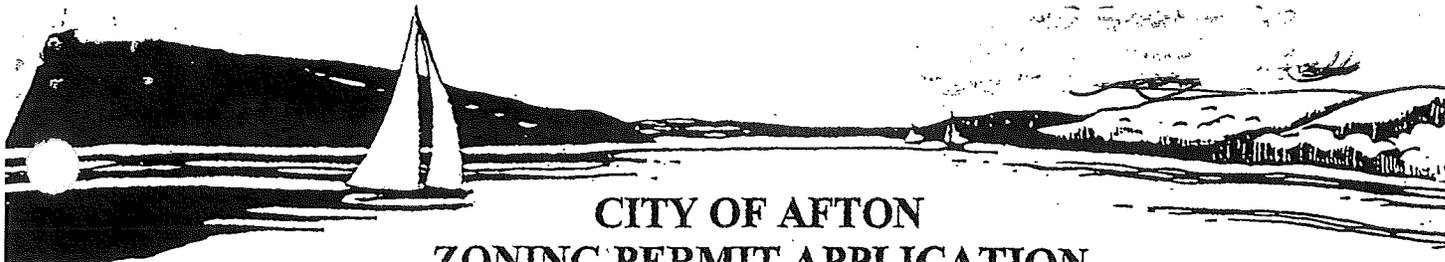


Wells Fargo Bank Minnesota, N.A.
Minneapolis, MN 55479
www.wellsfargo.com
Permit + App.

Memo 657 4366600

Karyl Jensen MP

⑆09⑆0000⑆19⑆55⑆1522⑆256⑆⑆ 10536



CITY OF AFTON ZONING PERMIT APPLICATION

Conditional Use Permit Special Use Permit _____ Variance

Rezoning _____ Grading _____ Mining _____ Sign _____ Driveway _____

Major Subdivision _____ Minor Subdivision _____ Other _____ Farm Site _____

Owner	Address	City	State	Zip	Phone
BEAD + KARYL SIMONSON	14725 AFTON BLVD	AFTON MN	MN	55001	6574366600

Applicant (if different than owner)	Address	City	State	Zip	Phone

Project Address
SAME AFTON MN 55001

Zoning Classification	Existing Use of Property	PID# or Legal Description
RR	RR	21.028.20.44.0008

Description of Request
Pole Building

By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.

Signature of Owner/Applicant: *[Signature]* Date: 4-19-04

Make checks payable to City of Afton:

FEES:

Driveway (zoning) _____
 Driveway (B. Insp) _____
 City Engineer _____
 Subdivision _____
 SUP/CUP/Variance 600⁰⁰
 Other _____

DEPOSITS:

Driveway _____
 SUP/Variance _____
 Subdivision _____
 Other _____

TOTAL: 600⁰⁰
 DATE PAID: 4/19/04
 CHECK #: 10536
 RECVD. BY: *[Signature]*

ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION

S.A

Ron Moore

From: Jeff Travis <Jeff.Travis@co.washington.mn.us>
Sent: Monday, October 05, 2015 4:42 PM
To: Ron Moore
Cc: Girard Goder
Subject: RE: land application of septage

Hi Ron,

The land application of domestic septage is regulated nationwide under the [EPA Part 503 Biosolids Rule](#) and on a state level through [MPCA guidelines](#). The county's [Subsurface Sewage Treatment System Ordinance #196 \(SSTS\)](#) ordinance adopted April 28 of this year incorporates both the EPA regulations and the MPCA guidelines as requirements in Section 23 of the ordinance. Additionally, Section 23 allows for municipal regulatory oversight, the approval and issuance of permits, as well as a mechanism through which the municipality can effectively disallow the approval of a permit.

As we discussed at the Administrators meeting, the requirements include provisions such as native soil suitability, land slope, proximity to water resources, and the nutrient needs of the soil (i.e. is septage suitable as an amendment). Each site will be reviewed and approved separately and an approval is for a specified time period or until the soil nutrient needs have been met. Subsequent applications at the same site would require re-approval. The program is being developed similar to the county's program for beneficial use and land application of solid waste materials, such as water treatment lime solids and wood ash, and has been in place for over two decades.

The requirements and process to obtain a septage land application permit are being established and the county anticipates implementation of the new standards starting in January 2016. By basing the new ordinance requirements on the federal and state requirements, the county will be ensuring compliance with all applicable requirements and standards.

If you would like, our Env. Program Supervisor, Girard Goder, and myself can meet with you to discuss further. Let me know if you have any questions or need more information.

Jeff

Jeff Travis | Senior Program Manager

Washington County Department of Public Health & Environment
14949 62nd St N, PO Box 6 | Stillwater MN 55082

☎ 651.430.4033 | 📠 651.430.4030

✉ jeff.travis@co.washington.mn.us

From: Ron Moore [<mailto:rmoorse@ci.afton.mn.us>]

Sent: Thursday, September 24, 2015 3:17 PM

To: Jeff Travis

Subject: land application of septage

Jeff,

Thanks for providing information about the land spreading of septage at the local government administrators' meeting yesterday. The City of Afton is reviewing the issue of land application of septage to determine if it should be allowed or prohibited in Afton. In the meantime, please do not issue any permits for land application until the City notifies the County of its determination. My understanding is that the County is in the process of developing procedures or

requirements to ensure the MPCA's or EPA's standards for land application are being met. Please provide a summary of this process and the status of the process.

Also, please provide sources of information regarding standards for safe land application of septage and potential environmental impacts.

Thanks,

Ron Moorse

Afton City Administrator

651-436-8957

8.B.

ORDINANCE 01-2010

CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA

**AN ORDINANCE AMENDING SECTION 10-130 OF THE AFTON CITY CODE RELATING TO
OPEN BURNING PROIBITED USES**

THE CITY COUNCIL OF THE CITY OF AFTON, MINNESOTA HEREBY ORDAINS:
Section 10-130 relating to Open Burning Prohibited to read as follows:

Chapter 10

ENVIRONMENT*

ARTICLE VII. OPEN BURNING PROHIBITED

Sec. 10-130. Purpose.

It shall be unlawful for any person to start or allow to burn, any open fire on any property within the city without first having obtained a "burn permit" from the Lower St. Croix Valley Fire Protection District, except for supervised recreational or cooking fires contained within approved fire rings, pits or barbecue grills.

Sec. 10-131. Definitions.

"Recreational fires" are defined as being three feet in diameter at the base with flame height not exceeding 3 feet and is fueled only by natural wood with logs 3 inches in diameter or larger. Fires fueled by other materials, including but not limited to treated or painted wood, plastic, rubber, leaves, grass, trimmings or any garden or yard vegetation, regardless of size, are not recreational fires.

Sec. 10-132. Recreational fires.

Recreational fires must be:

- Constantly attended by a person until the fire is totally extinguished
- Shall not be conducted within 15 feet of a structure or combustible material
- Take place on the owner's property and shall be a minimum of 5 feet from property lines.

A means of quickly extinguishing the fire must be readily available for immediate use. Acceptable on-site fire extinguishing means include at lease one of the following:

- Portable fire extinguisher with a minimum 4-A rating
- A shovel with readily available dirt or sand
- A hooked up and operational garden hose, or a water barrel.

Sec. 10-133. Burning Ban.

When a burning ban has been issued by the Commissioner of the Minnesota Department of Natural Resources or other authorized unit of government, the city reserves the right to suspend all recreational fires for the duration of the ban.

Sec. 10-134. Extinguishing fires.

A fire must be extinguished if it is smoldering or becomes a nuisance (i.e., annoys, causes injuries, or endangers health, safety, comfort, or repose of the public) to others or if not under supervision.

Sec. 10-135. Responsibility.

Recreational fires on property of multi-family residences or on rental property are the responsibility of property management or association. When applicable residents must adhere to property management/association rules/regulations and these guidelines.

Sec. 10-136. Public Nuisance.

Failure to comply with this ordinance constitutes a public nuisance and, in addition, is subject to a fine equal to the costs of Fire Department actions needed to ensure compliance and safeguard life and property.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 16TH DAY OF FEBRUARY, 2010.

SIGNED:

Pat Snyder, Mayor

ATTEST:

James E. Norman, Interim City Administrator

Motion By: Snyder
Second By: Nolz
Richter: Yes
Nolz: Yes
Palmquist: Yes
Nelson: Yes
Snyder: Yes