

Lynden Township
Public Hearing – Jeff and Lori Johnson Preliminary Plat JCubed Addition
Address 19564 Co Rd 145
August 21, 2024

Those present were Supervisors Tom Plaggerman, Jaime Schultz-Ludenia, and Clerk Jenny Schmidt. Planning Commission members present were Jeff Westrum, Gary Stang and Monte Helget. Planning Administrator James Kantor appeared later. Plaggerman opened the public hearing at 6:01 p.m. and led the pledge of allegiance.

The purpose of tonight's meeting is to consider the Preliminary Plat of JCubed Addition submitted by Jeff and Lori Johson, which proposes to plat land legally described as Lot 1, Block 1, and Outlot A, Nichole Kristeen Addition, PID #19.10820.0000 and 19.10820.0001, address: 19564 Co Rd 145. The Application included a proposed final plat and a \$1500 Application Fee. The Planning Commission (PC) performed a site visit on June 17, 2024, and met that same day to review the application. At that meeting, the planning commission unanimously recommended approval of the Preliminary Plat Application with a condition that there be three (3) individual driveway approaches on to the county road. Resolution 2024-09 vacated a Drainage and Utility easement on Lot 1, Block 1, and Outlot A of Nichole Kirsteen Addition.

On August 6 2024 a joint informational open meeting was held with the PC and the Board which included in part discussion on easements, land layout, storm water management, drainage and driveways.

The preliminary plat was reviewed by the Stearns Co Hwy Department and they conducted a County Plat Review. Review and requirements included Location, Right of Way, Access Mgmt, Drainage Facilities and Traffic / Public Safety. Applicant was provided a copy as they need to work with that office for compliance.

The preliminary plat was reviewed by Stearns Co Environmental Services (SCES). Document #1091966 dated December 4, 2003; Certificate of Transfer of Development Rights and Declaration of Restriction is noted. Per SCES on August 20, the restriction set aside the equivalent land area for the first plat. Since Lot 1 is only 2 acres this Document restricts the required 3 acres from having a home on it and was set aside for green space, nonresidential use. Applicant will review further and determine if the restriction needs to be amended for the new plat. This potential restriction is between SCES and the applicant.

The preliminary plat is currently being reviewed by Moore Engineering and pending a final report. A brief reply was received which indicates they do not anticipate any issues nor the need for a storm water mgmt. plan.

A Septic System Suitability report was received.

Both Kantor and SCES agree this is a Moderate Plat (2-5 lots) under Lynden Twp Subdivision Ordinance #8. Kantor reviewed both Lynden Twp Subdivision Ordinance #8 general plat review standards and requirements, and also Stearns Co Ordinance #230, Section 5.3. All requirements have been met. A Developer's agreement may be needed and conditions have already been presented.

Applicants Jeff and Lori Johnson were present. A new revised JCubed Preliminary Plat dated 2024-08-21 was provided today just prior to this public hearing which includes soiling borings and septic marked on the map. No public correspondence was received. The mailed notice to Fournier Timber LLC was returned undeliverable. They question the restrictive document and will follow up with SCES. They will also contact Stearns Co Hwy regarding the driveway recommendations and width.

Plaggerman made a motion to close the public input portion of the hearing at 6:20 p.m., seconded by Schultz-Ludenia, all in favor, motion passed. Stang made a motion to approved the 2024-08-21 Preliminary Plat as presented, seconded by Helget, all in favor, motion passed. The Board will defer their decision on the preliminary plat until the regularly scheduled monthly meeting set for Tuesday, Sept 3. Plaggerman explained the driveway removal will be part of the conditions of approving the final plat, along with any requirements from Lynden Twp Ordinance #8, Section 404. The final plat will not be approved until all the conditions of the preliminary plat are met. Clerk will post the Final Plat review meeting.

Resolution 2024-06 Accepted the Petition and set a Public Hearing date on a Drainage and Utility Easement Vacation Petition. The Acknowledgment of Receipt of Resolution was signed by Jeff Johnson on July 8, 2024. The Resolution and Petition was posted on July 9, 2024. The public hearing was held on August 6, 2024. The decision was deferred. Plaggerman made a motion to adopt Resolution 2024-09, a Resolution Approving Vacation of a Drainage and Utility Easement, which legally describes the easements that surround Lot 1, Block 1 of the Nicole Kristeen Addition plat, which will be replatted as JCubed Addition. Note that this Resolution vacates the easement upon the recording of the JCubed plat. If the JCubed plat is never recorded, the existing easements remain in place, PID #s 19.10820.0000 and 19.10820.0001, seconded by Schultz-Ludenia, all in favor, motion passed. The resolution also finds that no damages are awarded to the property owner.

A Notice of Damage Award will be signed by the Clerk and mailed to the owners listed in the vacation resolution within seven days of today. The Certification of Resolution will be signed by the Clerk, notarized and a copy of the resolution attached. The original Certification of Resolution will be sent to the County Recorder along with the recording fee, or released to the property owner for recording right before the plat is recorded.

The total cost for this process is pending as final legal expenses, engineering review and recording fees are yet to be determined.

Plaggerman made a motion to adjourn the meeting, seconded by Schultz-Ludenia, all in favor, motion passed. Meeting adjourned at 6:54 p.m.

Respectfully submitted:

Jenny Schmidt, Clerk

Tom Plaggerman, Chair