

TOWN OF ALBANY PLAN COMMISSION

UNAPPROVED -06/06/2018-issue O "PRELIMINARY"

June 06, 2018

Chair Randy Bump called the meeting to order at 7:02pm.

The meeting was posted at the three Township locations and the Hometown Herald.

Those in attendance were: Randy Bump, Joe Dunphy, Jason Cleasby, Doug Lawrence, Greg Hoffmeister, and Robert Duxstad.

Members of the public included: Ron Combs, Mary Mason, Amanda Fields, Manya Dujardin, Kathy Bergwager and Brenda Seggerman

Abel Schultz was present as Town Board representative.

The minutes from the March 3rd, 2018 meeting were reviewed. Randy Bump made a motion to approve the minutes, Jason Cleasby seconded, and the motion was approved.

The next agenda was to Review Sugar River Crossing Subdivision Replat and Vacate Plat. Land located in Section 5.

Randy Bump read the highlights of an email from 4-5-2017.

Amanda Fields says the LLC cannot produce the operating agreement.

21 shares out of 76 opposed LLC said they only need a majority vote.

May 17th Planning Commission Minutes were reviewed

Attorney Duxstad then advised:

The only authority the board has is to approve the replat based on our ordinances.

Do the 5 signing members represent the 75% of the LLC
Amande Fields and Attorney Dukstad discussed the LLC

It was noted that Randy Bump has the email from 11-7-2007 about the first LLC Dispute from Attorney Moaut.

Mr. Combs submitted the replat.

Record a separate instrument for another access point to the river.

The river access is in a different spot on the new plat vs the old plat

Attorney Dukstad:

Clarifying the covenants about who is responsible for the maintenance of public storm water easement.

--There is a no agreement, so the township will deal with just the lot owners who have easements.

The intention of the township is to have every lot owner to own and be responsible for said easements.

Documentation is needed to show that all owners of these lots are responsible for the easements. This includes keeping track of erosion, woody plants, control structure.

Per town ordinance.

In the event that this is not taken care of, ALL owners will be billed, with 30 days notices given and all 12 will get billed for the cleanup.

In regards to landscaping on the lots.

The final plat needs to have specifics on shrubbery, mowing, no change of elevation.

Randy Bump advised that there are only 2 houses per driveway and there would be only one driveway per lot.

Subdivisions were briefly discussed and they are outlined in township ordinances and will be dealt with as needed.

The Prefabrication clause was discussed and defined as no moving a home to the lot or no mobile homes but modular homes will be allowed

Wolfgang Pavlok was unable to attend but did exhibit some concerns via email.

Out lots 6&7 what is the ownership and maintenance of these out lots?

In prior meetings it was discussed that the out lots were to be attached to an owner or managed by an association, this is still the case.

What is the green space requirement for the lots?

There is a note about 83.7A out of 166A being preservation easement, but Lots 42,43,44,45,46 have no preservation easements.

All lots need 50% green space per ordinance.(the ordinance reads that the whole subdivision together needs 50%)

Out lot 6 is probably going to be sold to Mr. Trow, the adjacent landowner

Out lot 6 is a preservation easement

There is a dedicated easement for out lot 6.

Need to be more information for this out lot.

As previously required, a note about the preservation easements is on the plat.

The greenspace will be measured as a whole on the subdivision not per lot, 50%.

Township will maintain the roads.

The roads are public.

The roads are up to township code.

Preservation easement will be added to lots To cover the whole 50% preservation easement, since out lot 6 will not be part of the plat.

There is the condition that the owner of out lot 6 is subject to the covenants.

Out lot 6 will be on the DEED that the owner is responsible for that out lot and only that storm water easement.

Out lot 5 is now out lot 7. The state wants to know who is going be responsible for out lot 7. This will be dedicated and taken care of by the township.

June 7th 2017 Meeting questions were all answered and agreed upon.

Follow up...

Ron Combs will make the revisions

Add 4.188 to lots 46 47 and 48

Take off the storm water maintenance wording for out lot 6

Out lot 7 needs to be dedicated to the public.

Greg Hofmeister will get a list of storm water maintenance agreements to add and work with. Amanda Fields regarding this.

Amanda Fields will draft a deed of out lot 6

Out lot 50 and 51 both have a 60 foot public access no maintenance required.

A note must be added regarding nothing will be allowed to obstruct to the public access.

No further questions by the planning commission.

Public Questions and Comments

Manya Dujardin wanted to know what will happen with her access to the road that is not going to be built any longer.

How will people access lot 46? They will need to apply for a driveway.

We need to find out more information on page 2 and 3 of Doc No 499999 CSM no 4302

The township suggested a shared driveway.

Attorney Duxstad suggested an easement twice the driveway width.

The town reserves the right to have an easement on the ORIGINAL PLAT. Page 2.

Attorney Duxstad suggested that Amanda Fields and Manya Dujardin talk and figure out a solution to this problem.

Brenda Seggerman wanted to know who will be responsible for the care of the fencing around the subdivision.

She was referred to township ordinance section 5.12

End of public questions.

Next meeting will be 8-1-2018

Suger River Crossing will have to submit documentation to us by July 18th

Per Randy Bump: approval of preliminary plat and subdivision of no more than 2 contingencies.

Any and all future liability will be with the lot owner.

The CRP scraps have a 15 year sunset so they will not be on the final plat.

The Township requires that abutting landowners need to receive written notice. The planning commission needs to know this, so they need to provide letters that there is a meeting schedule

A \$300 charge will be assessed to Sugar River Crossing LLC.

Randy Bump made a motion to adjourn

Jason Cleasby second the motion, motion carried.

The meeting was adjourned at 9:41pm