

**Greenvale Township Planning Commission
Special Meeting Minutes
Thursday, December 7, 2023**

Present: Ken Malecha (Chair); Commissioners Scott Norkunas, Joyce Moore, Victor Volkert, Steve Wickelgren and Jane Dilley, Town Clerk

Others Present: Dave Roehl, Cindy Roehl, Gregory Langer, Bob Ruddle, Mary Langer, Linus Langer, Rusty Kluver, Andy Anderson, Charles Anderson, Vickie Tyler, Bruce Paulson

Guests: none

Chairman Malecha asked the audience to join in the Pledge of Allegiance at 7:00pm.

Opening Statement: Malecha stated the Planning Commission (“PC”) is an appointed body that makes recommendations on planning and zoning issues to the Town Board. These recommendations are advisory only. The elected Town Board members make the final decisions on matters brought before the PC. Tonight’s meeting is to continue work on the township’s ordinances to bring them into compliance with the provisions of the 2040 Comprehensive Plan.

The audience was reminded this is a public meeting, not a Public Hearing. Meetings are open to the public to observe. Audience comments are limited to topics being discussed. Malecha reminded the audience to sign the attendance sheet and silence their electronic devices.

Agenda: The sole purpose of this meeting is to review a draft of portions of the revisions to the township’s ordinance manual. A motion to approve the agenda was made by Moore, seconded by Wickelgren. Motion carried 5 – 0.

Minutes: No minutes were reviewed at this meeting.

Citizen Comments: No citizen comments were heard at this Special Meeting.

New Business: At the last meeting, the Planning Commission (PC) went through the first redlined draft and looked over the sections covering definitions, general provisions, zoning districts/use regulations. An updated redlined draft was produced by Bolton & Menk, printed, and distributed to the PC members. A copy is available in tonight's public packet and on the website.

The PC will go over the sections covering subdivisions, enforcement, and performance standards after reviewing the work product from the previous meeting.

Discussion items and comments from this meeting will go to Bolton & Menk, and we will have a newer draft to go over at the PC Regular meeting on December 14.

Malecha spoke with township attorney Mike Couri about the process. When the next redlined draft is available, it will go to Couri for legal review.

Proposed timeline – into the first week of January, hold a Public Hearing (8th or 9th), followed by the PC Regular meeting on January 11, 2024, followed by the Board meeting on January 18, 2024. Bolton & Menk conferred with Dakota County Community Development, and they are ok with this timeline.

Some of the changes previously submitted to Bolton & Menk had not been incorporated into the document, so this process has been repeated. Bolton & Menk has adjusted their invoices to reflect this.

The current ordinance manual contains provisions that were based on Minnesota State Statutes; those provisions therefore didn't keep pace with statutes as they changed. Proposed language in the new ordinance manual references items as being "pursuant to" those statutes so they remain current.

The PC went through the items discussed at the previous meeting and were incorporated into the current redlined version.

The issue of nonconforming residences needs to be addressed but will not be included in current revisions to the ordinance manual. The planner and township attorney support this approach.

Subdivision section. Changed submission requirements for subdivisions and plats from 5 copies to 2 copies to reflect electronic submissions. Incorporating state statutes. PC will review, the Town Clerk shall (not may) refer matters to applicable agencies (i.e. Soil & Water or DNR). Remove stated time frames “X” days for the Town Board to modify, approve or deny requests as this will follow state statute. The township does not have a township engineer, so changed to review as required by the Town Board. Under other standards, added lots shall meet the minimum lot size and density established for the zoning district.

Performance Standards section. Planner cleaned up language to reflect current standards – developer makes an escrow deposit and (not or) a bank letter of credit, which is what happens today. Subsurface sewage treatment systems, standards set by the MPCA (Minnesota Pollution Control Agency) and implemented by Dakota County - remove specific Dakota County ordinance number (was 113, now 114) to follow applicable state law. Same with wells. Feedlots no longer regulated by Dakota County, changed to MPCA. MPCA standards for odors, emissions, dust particles, noise, and vibrations.

Administration/Enforcement. Any notifications to property owners will follow state statute of 350’. Conditional use permits are being added to the township’s ordinances. Proposed uses consistent with the Comp Plan. Enforcement activities will be assigned by the Town Board. Add language to repeal all previous ordinances and amendments.

Revisit solar. Current language comes directly from amendment addressing Alternative Energy Sources. Moore has concerns about solar installations, especially disposal at the end of the life cycle of photovoltaic panels. Takes up farmland. Norkunas pointed out wholesale solar would have to come in under a conditional use permit where the township can address and control specific concerns. Residential is limited to 40W and includes ground mounted. That’s already in our ordinance.

Bolton & Menk recommends that forms not be included as part of the ordinance manual.

If people have concerns they want to talk about, please have a conversation with a member of the PC.

The next draft will be distributed to the PC and Board members and put on the website as soon as it is available.


Moore made a motion to adjourn, Volkert seconded. Motion carried 5 – 0.

APPROVED – January 11, 2024

Prepared by:



Ken Malecha, Chair



Jane Dilley, Town Clerk