

**Greenvale Town Board Minutes**  
**Special Meeting on Buildable Sites Inventory**  
**January 13 2015**

Present: Greg Langer, Dave Roehl, Duane Fredrickson, Darcy White, Linus Langer Dean Johnson, John Ohpaug, Jerry Bolton, Richard Moore, Jerry Gehler, Joe Kalina, Wayne Peterson, Eric Christianson, Bob Kaefring, Ken Malecha...

5PM Meeting was called to order and all joined in pledge.

Langer read public notice out load. Notice was posted and put on website.

Expressed welcome to attendees and explained purpose of meeting was for Town Board to prepare for a future public gathering with an open forum.

Langer asked Mr. Ophaug and Mr. Johnson to join others at discussion table.

Opened discussion to review and take comments on Policy questions.  
Date of Record for any Parcel... Johnson explained that policy issues were crafted after initial viewing. Starting with 9 item list first:

Ophaug sited 1977 date (approximate) when Rice Co. began dealing with like issues. That there have been lots of challenges. 40 acres is not same as quarter-quarter and it's helpful to note distinction. Langer stated one per quarter-quarter definition seems valuable in zoning.

Ophaug says other places in past have used first come first serve. Clerk asked about 2 cars at traffic sign, or a used item at mailbox for sale applying FCFS principle - but certainly not with property rights. Supervisor Langer expressed disagreement with FCFS and at very least co-owners should be aware when a site is being issued or looked at. In past probably neighbors didn't put dollar value on a building site. Fredrickson & Roehl agreed it would be good to notify.

Ophaug asked about gatekeeper approach. Johnson mentioned a registry and what purpose would there be in it. Used example of 35 & Forest Lake billboard issue where on registration day lots of people showed up wanting to be first. Johnson mentioned at end of study he did not agree or had questions with how rights and covenants were determined in many cases.

Minor exceptions do not interfere with spirit of zoning. Langer expressed opinion in town hall example where rites could still be remaining. 39 acres vs Q-Q could be another example or where a cemetery or railroad is present.

Map illustrates a single site. Johnson says it's stating the obvious.

Wetland floodplain areas. Johnson says inaccessibility could be the criteria. Roehl asked about 160 with one forty being swamp land... could right be transferred? Johnson says it could depend on the wetland. Ophaug noted EASEMENT POLICY in Rice County has changed 10 yrs ago to limit easements that breakup farm land. Something to think about.

Langer spoke about FNAP conditions and benefits. Fredrickson asked if County gives a record? Langer says yes but it's a yellow flag, not a red flag. Ophaug notes there needs to be a permanent record to look at with these.

Fredrickson says we don't need to predetermine every tract especially FNAP when recording is more current.

All agreed when obvious cases are on map it will help future determinations. No 6 again is a good example of being able to recommend good practice of cleaning up with quit claim ahead of time.

TDR is the document that is used to meticulously track transfers. Division agreement was recorded at county for Haubergs and now Greenvale has copy.

1991 zoning "lot of record" question. Fredrickson asks about two quarter-quarter sections and where homestead is busted off. Johnson says before 1981 if someone cut out 5 acres then because it was prior it could be another available site.

Requiring agreements? Johnson says this is appropriate where owner may want to separate off/divide with a covenant. Ophaug says banks usually want 2 acres, not farm land. Covenant should be on deed transfer so it is clear to future parties.

Document for verification on buildable sites. Langer had draft of Kraft letter to look at and consider. Two letters went out so far this year. Langer asked is this a good document. Fredrickson liked that it says "buildable site," not permit. Ophaug says good to say "under current ordinance." 10 yrs down the road with new ordinances there can be problems. Fredrickson wondered about "grand-fathered in" scenarios.

Langer wants to address how do we give people info on sites. Fredrickson mentioned at past meetings importance of being consistent. What do we want to give in writing? Ophaug recommends we do things in writing and actions should be approved by the board with a motion. Important to protect ourselves that we say under "current law." Recommends we consider a standard fee socialized maybe \$100. Sometimes we would need to pay for opinion of attorney or consultant. Re letter to Kraft. Ophaug sees legal from county printout shows some time separation was made. Johnson suggests demos qualify for replacements. Easy policy statement would be allow demo's to qualify for replacement. Ophaug says he would ask for deed that says there was a parcel of record before 1981.

DJ says GIS people at County may update maps for tax purposes and sometimes lots can “disappear” with map makers. Legal is needed over and above PID’s which are not as trusted. Fredrickson asked again about prior to 1981. Eric Christianson mentioned 4 dates: 1945, 1980, etc. in our Zoning for lot of record dates. Ophaug suggests people will gladly offer to pay for the security of official letter. Kraft letter seems usable with added items suggested by Johnson.

Subdivision agreement has been in place for years. Ophaug suggested it can be improved. Ophaug will create a new document to help with Subdivisions.

BACK TO ITEM 1: how do we host a gathering and how do we catalogue it? Maps should only show the absolute know... Fredrickson wants to know if map can be emailed. Ophaug wants to know if there’s a caveat about being precise... we need a caveat that says there are possible inaccuracies. Roehl would like to see bigger map which is easier for everyone to see. Eric Christianson thought we could have them on tables around room. Johnson suggests we have a large copy of 10 policies questions. Jerry Bolton agreed people would like to look at their own and not everyone’s. Jerry Gehler added there should be a paper takeaway as to what people can do to go away knowing how to proceed. Fredrickson suggested having Johnson offer a short presentation to public and it could take heat off process. White expressed sometimes people believe they have something they do not. We will sometimes have to draw the line in the sand. What is important in presentation is we are showing we are looking at many angles to make better decisions. Ophaug recommends amendment approach to ordinance when needs occur. Fredrickson wants to be sure we use a DISCLAIMER such as for “illustration purposes only,” or like wording, be put on MAPs.

Langer asked for discussion about how we get the word out. Ophaug thinks cards get more attention than letters. February 12th 6PM looks like a good meeting date.

7:10 PM meeting adjourned.

Respectfully, Linus Langer/Clerk