

**Greenvale Township Planning Commission  
Meeting Minutes  
Thursday, June 8, 2023**

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

**Absent:** Victor Volkert

**Others Present:** Charles Anderson, Bruce Paulson, Gregory Langer, Terry Mulligan, Mary Collins, Perry Collins, Joy Royle, Eric Malecha, Paul Weitz, DVM, Andy Anderson, Eric Christianson, Dave Roehl, Tony Rowan

**Guest:** Harry Davis, Bolton & Menk

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. The PC will act tonight on matters received by the Zoning Administrator by noon ten (10) business days before the meeting tonight. Questions on submissions after the deadline can be addressed under New Business; they will be placed on the following month’s agenda. The audience was reminded this is a public meeting, not a Public Hearing. Audience comments are limited to topics being discussed. Malecha reminded the audience to sign the attendance sheet and silence their electronic devices.

**Agenda:** Malecha asked if there were any changes to the agenda. Moore made a motion to approve the agenda, Wickelgren seconded. Motion carried 4 – 0.

**Comments from PC member Victor Volkert:** Volkert sent an email to PC Chair Malecha. Volkert stated that business at another township prevented his attendance tonight. He finds the minutes are correct, approves the applications from 3 residents applying for legal nonconforming status of their businesses and

suggests they be forwarded to the Board, and further is supportive of the veterinary clinic inquiry made by Paul Weitz, DVM.

**Minutes:** The May 11, 2023 meeting minutes were reviewed. Malecha made a motion to approve the minutes, seconded by Moore. Motion carried 4 – 0.

**Citizen Comments:** There were no citizen comments.

**Board Liaison Report:** Tony Rowan listened to the May meeting over the phone. He liked the dialog took place about the proposed veterinary clinic, followed by distributing written comments received from the planner. Would like to see this format followed as an example going forward.

**Building Permits:** None.

**Zoning and Other Land Use:**

Applications received for consideration under the Nonconforming Land Use Ordinance were next on the agenda.

1. The first application was from Adam and Joy Royle PID 16-01900-50-012 for a variety of uses: trucking, equipment repair, fabrication, machining, welding, excavating, soil screening and custom framing. Joy Royle was present. Malecha distributed a GIS map of the property. Although a piece of equipment appears on the GIS map, outside storage is not a business use. A list of equipment and buildings was provided. The eight employees are all family members. There were no questions from the audience. Malecha moved to recommend PID 16-01900-50-012 as a legal nonconforming land use and to forward it to the Board of Supervisors. The motion was seconded by Norkunas. The motion carried 4 – 0.
2. The application from Mark & LuAnn Malecha and Eric Malecha was reviewed. Eric Malecha was present. There are two PIDs listed in use for the business: 16-01700-26-010 and 16-01700-27-010. The Malecha's business is land application of residual byproduct, spreading and storage. An extensive equipment list was provided. Clerk Dilley read an email received from citizen Mike Carlier with concerns about the considerable truck traffic this business generates in addition to the high volume of visitors to the horse business on Iran Path. Carlier feels that upgrade and proper maintenance to Isle Ave, Iran Path and Idalia Ave is necessary. He also inquired about potential expansion of the business. Under the Nonconforming Land Use Ordinance, expansion is not permitted. Any

expansion plans would need to be addressed via an Interim Use Permit. On behalf of Carlier, Clerk Dilley asked about the traffic volume. Eric Malecha stated during most weeks of the year, the semi makes five trips out of the property and five return trips. Busier times of the year bring the volume up to 7 – 10 weekly round trips. Eric stated they only come back to the farm with product if they are unable to spread it, which is not common. Their route is generally north on Isle Ave to County Road 86 or west on 295<sup>th</sup> St W to the frontage road. Norkunas remarked that any issues with the roads are the responsibility of the Board. There were no questions from the audience. Malecha made a motion to recommend approval of the application from the Malecha family as a legal nonconforming land use and to forward it to the Board of Supervisors. Moore seconded. Malecha noted he is not related to Mark, LuAnn and Eric Malecha. Motion carried 4 – 0.

Duane Fredrickson was not present; the application he submitted will be reviewed at the July PC meeting.

Paul Weitz, DVM was invited to attend this evening's meeting to review the findings of the Planning Commission and the Township Planner regarding a veterinary clinic he would like to establish in Greenvale Township. As he had not yet arrived, the PC moved on to New Business.

**New Business:** Planner Harry Davis with Bolton & Menk was present to discuss the township's ordinance manual. Malecha reported that Bolton & Menk will have the responsibility to bring in changes to the township's ordinance manual for compliance with the 2040 Comprehensive Plan, as well as incorporate the current ordinance manual and subsequent amendments into one document. Malecha would like the PC to focus on half of the ordinance manual for the rest of this month to the July PC meeting - Definitions, General Provisions, Prohibited and Permitted Uses and Conditional and Interim Uses. The PC will address the other half of the manual between the July and August meetings. Malecha suggested two PC members team up (no more than two, so there is no quorum).

Norkunas and Wickelgren will work together on Definitions. Norkunas asked Davis what resources he uses when addressing definitions. Over the years he has gathered various resources and assembled a library of definition examples, and he will share this with Greenvale Township. Malecha and Moore will work on General Provisions. Malecha and Wickelgren will work on Permitted and Prohibited Uses for the Ag Preservation District. Davis remarked that Shoreland is

regulated by the DNR and Floodplain by FEMA. Norkunas and Moore will work on Conditional and Interim Uses.

Public engagement would start at the earliest after the August meeting. Davis emphasized the completion date for the ordinance manual is December 31 under the terms of the Dakota County Community Development Agency grant. If there are items to be completed after that date, Bolton & Menk can assist under the terms of our on-call planning services with them.

Malecha noted that the Comprehensive Plan, completed in 2019, had a population projection of 810 residents for 2020. Malecha brought forth a letter the township received from the Metropolitan Council dated May 2023 which indicated we had a population of 784 as of April 1, 2020. Do we need to concern ourselves about the accuracy of these numbers – are they used for funding decisions? The letter also indicated as of April 1, 2020, the township had 279 single family dwellings and this number has increased by 1. The township is also listed as having 2 townhomes and 12 duplex, triplex and quadplexes. Davis said this strikes him as informational only. Davis has performed population projections and it is a very educated guess.

Malecha addressed maps in the Comprehensive Plan. The prior Comp Plan reflected 2 areas of industrial use and 3 areas of commercial use. In the 2020 Comp Plan, these areas disappeared. How did this happen? Are there records at Bolton & Menk that address their removal from one Comp Plan version to the next?

Malecha urged the PC members as they work through the assigned sections of the ordinance manual to reach out to Bolton & Menk via email or conference call and not wait for Davis to address questions at meetings he attends.

#### **Zoning and Other Land Use (Part II):**

Paul Weitz, DVM was invited to the table. After the last meeting, he sent a letter to the township formally requesting approval for a veterinary clinic to be established within the township. The township sought and received an opinion from Bolton & Menk for a written zoning interpretation. This written opinion was provided to the PC members and Malecha read the opinion out loud for the audience members. This type of use is permitted in the Ag Preservation District.

Norkunas made a motion to recommend approve Dr. Weitz's request and to forward it to the Board of Supervisors for action at their meeting on June 20, 2023. Moore seconded. Motion carried 4 – 0.

**Old Business:** None.


Norkunas made a motion to adjourn, seconded by Moore. Motion carried 4 – 0.

APPROVED – July 13, 2023



Ken Malecha, Chair

Prepared by:



Jane Dilley, Town Clerk