

Royalton Township Working Planning Commission Meeting Minutes
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19 September 2023
Approved

6:48 p.m., 19 September 2023, Chair Leslie Orvis convened the Royalton Township working planning commission meeting with Members Jeff Schlaeger, Priscilla Schneider, and Duane Swanson present in the meeting room and Gary Valvoda present via remote electronic means. Deputy Clerk Andrea Anderson, Zoning Administrator John Kemen, and Septic Administrator Amy Thompson also attended.

Chair Orvis noted that he had talked with Wayde Lerbs about the status of his mining operation off Frost Drive. Mr. Lerbs reported that the sand is nearly mined out, and he is considering future options. Mine operator Dick Doenz had dumped brush and dirt into part of the mined acreage. The commission discussed whether this was “clean fill” as is supposed to be used in reclamation projects. The commission also discussed the definition of “access road” noting that there is no access road to the pit in question. Entry to the pit is simply a driveway off Frost Drive. At this point, the commission views the dust issue as a dispute between two landowners that will have to be resolved without township intervention. Chair Orvis opined that if this issue keeps returning to the township, the response should be that continuing discussions need to be held between the lawyers for the involved parties.

Chair Orvis noted that the last board meeting had discussed the town hall rental agreement and whether that included garage sales. He wanted to know the board’s decision. Clerk Swanson reported that the board had concluded that garage sales would be a legitimate reason for rentals.

Chair Orvis reported that he had been studying the issue of hemp growing, that it was a legal agricultural commodity, and that the state would be licensing any growing operation. Discussion centered around odors that might be released during the growth period of about four months. The commission concluded that this was not an issue because township ordinances note that residents may be subjected to agriculturally related odors. The commission appeared to have consensus that the township should ask any hemp grower for a copy of their state license to have on file.

Regarding the proposal for hydroponic growing of cannabis, the commission reviewed the status of the land on which this has been proposed. The greenhouses are on a separate legal parcel from the dwelling. If either parcel is sold (and if that parcel has an existing septic system), the existing system will require a compliance inspection. Also, of potential concern to the township would be a shared driveway that is now used for both parcels.

Zoning Administrator Kemen asked for discussion about an 18-acre parcel for which a proposed split had been requested (into parcels of 10 and 8 acres respectively). Commission consensus was that a split would not be permitted because it would leave one parcel with less than the required ten acres and, in this particular case, a variance was not appropriate because there are no hardship mitigating factors beyond the control of the landowner.

The commission discussed the city of Rock Creek’s use of administrative citations to enforce the subservice sewage treatment ordinances. Septic Administrator Thompson noted that this has reduced substantially the number of outstanding parcels with septic issues. The city sends a letter to the owner of the parcel noting that a compliance inspection is needed, and that the owner has a certain period to get it done before administrative penalties kick in. Administrative penalties

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increase quickly if the inspection is not done. The commission questioned whether the township has the power to do this. The board should request a legal opinion concerning this issue.

In other septic related issues, Administrator Thompson noted certain compliance inspectors do not submit their report directly to the township as required by law. If this is not done, the inspector is subject to censure by the Minnesota Pollution Control Agency. This causes confusion for the owners and increased administrative work for the township. The commission recommended that the board endorses sending a letter to inspectors generally doing business in the township, reminding them of their reporting responsibilities, and noting that failure to report would result in contact with the MPCA.

At 8:10 p.m., Chair Orvis concluded the meeting.

Respectfully submitted,

Duane P. Swanson, Clerk/Member

Leslie Orvis, Chair/Member

Jeff Schlaeger, Member

Priscilla Schneider, Member

Gary Valvoda, Member