

TOWN OF ALBANY PLAN COMMISSION

UNAPPROVED -06/07/2017-issue O “PRELIMINARY”

June 07, 2017

Chair Randy Bump called the meeting to order at 7:12pm.

The meeting was posted at the three Township locations and the Hometown Herald. Those in attendance were: Randy Bump, Joe Dunphy, Jason Cleasby, and Wolfgang Pavlok.

Members of the public included: Dean Pernot, Shirley Pernot, Mary Mason, Brenda Seggerman, and Cathy Bergwager.

Abel Schultz was present as Town Board representative.

Robert Duxstad was present as Town Attorney.

The minutes from the April 05, 2017 meeting were reviewed. Jason Cleasby made a motion to approve the minutes, Joe Dunphy seconded, and the motion was approved.

Mitch Larson has resigned from the Plan Commission.

The next agenda item was a Replat Review of Sugar River Crossing Subdivision land located in Section 5.

This is an ongoing application and review of the replat for this subdivision.

The meeting fee will be charged against the escrow account. The question of the escrow balance was asked of Randy Bump. He stated that Bonnie Zee would have it, but an estimate was: \$600 meetings, \$1200 for Greg H. engineering, the legal costs are not known as yet.

Notices were mailed to adjacent owners, a review to see if all were notified, two additional were noted, total should be 13.

Randy Bump said that for an approval meeting, the notices should to be via registered mail.

This is a continuation/update to the discussion from the April 05, 2017 05, consultation meeting.

Since both the town Engineer and Sugar River surveyor were not present, it was decided to start with the legal document and authorization issues brought forth from the last meeting.

Randy Bump asked if we have a copy of the operating agreement, and who/how this replat can be authorized and approved.

Mary Mason handed out minutes which voted to authorize going ahead. There are 76 total shares and a simple majority was needed.

It was also discussed that the size of these lots could lead to further subdividing, with a maximum of two homes for a shared driveway, if more than that a public road and subdivision would need to be done.

The CPR question from last meeting was shown to be resolved if the new lot owners update the FSA records, transferring their share.

Bob Duxstad stressed the need to have the signed agreements, not unsigned copies of all the requested documents, he would search his files and will make a request via letter of Amanda Shields for them.

Mary Mason will email Wolfgang Pavlok the amended (phase II) developer agreement and amendment to the covenants, for distribution to the members.

Once the replat is finished, still owned by the LLC, the lots will be transferred to individual owners, initial meetings stated that the covenants would be rescinded, but now will be amended. The requirement for maintenance of the storm system would require a separate agreement with each lot and in total. Mary thought the covenant changes would cover this, to be reviewed.

The State wanted the river easement marked as:
"Perpetual Public River Access Easement"

Bob Duxstad also said that the outlots along the Eastern border could become a problem as they are not buildable parcels and can be abandoned. Would it be possible to have the adjacent owner obtain this strip, thereby eliminating those outlots?

This would also solve the access to the East easement, but not the drainage requirement.

Outlot 5- Randy Bump to talk to the town about it, if the other outlots are taken care of.

No one had a copy of Doc 493890, which deals with:

- Preservation Easement
- Conservation Easement
- Public Stormwater Management Easement
- Access Easements
- Utility Easements

This Document cannot be released as some of the requirements remain. Amend or new Document?

The LLC will need to decide if any, like the Conservation easement is to remain.

It was also stressed that Ryan Combs make sure that the plat conforms to the Ordinance. Such as section 5.12 partition fencing, 3.07 open space requirements and note.

Since only one member can meet with Greg and Ryan on the plat issues, it was decided that Wolfgang meet with them to go thru the plat issues. (Refer to the previous minutes also)

(update 06/12/2017- Plan Commission was told that there were to be no more meetings until further notice- so this is on hold.)

Recap of Documents which need to be of signed/recorded origin- Amanda and Bob

- Signed LLC Operating Agreement and any Amendments
- Signed Developer Agreement
- Signed Amended Developer Agreement
- Recorded Homeowner bylaws-if ever completed or rescinded
- Doc 493890 as recorded
- LLC affidavit of approval for the replat along with minutes
- Sugar River Covenants as recorded
- LLC affidavit of Covenants amendments
- Doc 493890 releases and/or changes

Usually there are three preliminary meeting before getting to a preliminary plat. This is a more complicated application, as old plats and documents are in place, and changes are required or eliminated, and also creation new ones.

The next scheduled meeting is July 05, 2017, at 7:00pm, with material due by June 15, 2017.

The next Town Board meeting is on June 13, 2017.

Jason Cleasby moved to adjourn. Randy Bump seconded the motion. The motion carried. The meeting was adjourned at 9:30 pm.

Respectfully submitted,
Wolfgang Pavlok, secretary