

**Rochester Township Supervisors Meeting**  
**Rochester Town Hall**  
**Thursday, October 13, 2022**  
**7:00 PM**  
**AGENDA**

**To participate by telephone, dial (978) 990-5000 and enter access code 253635**

- I. Call to order Town Board Meeting (Pledge of Allegiance)
- II. Minutes of the September 8, 2022 Board meeting
- III. Deputy Report – Dean Thompson
- IV. Call for additional agenda items
- V. Old Business
  - A. Pavilion Estates lawsuit
  - B. 2630 Wild Rose Ln SW
  - C. Audio / video system
  - D. Shop floor
  - E. Speed trailer
- VI. Tabled Items
  - A. None
- VII. New Business
  - A. Metes & Bounds – Millie Meadow Estates Second
  - B. Lot Line Shift – Fye / Steffen
  - C. Royal Oaks EAW
  - D. Millie Meadows 3<sup>rd</sup> GDP (Res R22-01-02A) and Zone Change (Res R22-01-02B)
  - E. Zoning Ordinance Change – adding Historical District Language and Conditional Use Requirements
  - F. Road Acceptance – Millie Meadow Estates Second – Res2022\_10\_01
  - G. 2022 Road Mileage Certification
  - H. ARPA funds usage – Res2022\_10\_02
  - I. Information items:
    - i. Investment – Options
  - J. New agenda items; as added earlier

**VIII. Reports**

Thursday, October 13, 2022

Agenda

- A. Treasurer's Report – Randy Staver
- B. Road Maintenance Supervisor Report – Pat McGowan
- C. TCPA Report – Jeff Orth
- D. Board of Adjustment Report
- E. Planning & Zoning Commission Report
- F. Board Chair Report

IX. Adjourn

## **Rochester Township**

### **Board Meeting Minutes**

### **September 8, 2022**

**Meeting was called to order at 7:00 pm by Chairman Jeff Orth.**

**Members present** - Matthew Kitzmann, Jamie Neisen, Brian Zmolek, Nathan Clarke, Jeff Orth and Randy Staver

**Guests** – Gene Peters, Dean Thompson and one member of the public.

**Minutes** – Brian Zmolek moved to approve the minutes for the August 11, 2022 meeting with one correction as noted by Jamie Neisen regarding the candidate for the Planning & Zoning Commission. Jamie Neisen seconded. All voted in favor and the motion passed.

**Deputy's Report** – Deputy Dean Thompson reviewed the call report of 31 calls for service. Dean noted speed concerns he has heard along 40<sup>th</sup> street SW. The idea was posed whether to install rumble strips. Jamie Neisen said he would not be in favor of installing rumble strips at this time without further research. Brian Zmolek agreed.

#### **Rookery Lawsuit –**

- Randy Staver reported based on information from Peter Tiede. There are two lawsuits. The first lawsuit appealing the township board decision on the GDP is still under advisement and the judge has until October 13, 2022 to render a decision.
- The second lawsuit relates to recent action based on the township decision approving the preliminary plat. MATIT has agreed to take on this case. Outside legal counsel is in process of responding to the complaint. It is not likely that this litigation will reach court until this winter with a decision not likely until spring.

#### **2630 Wild Rose Lane SW –**

- Based on information from Peter Tiede, the case has been dismissed as requested.
- Brian Zmolek spoke and said he is working with neighbors to host a couple of meetings to gather more information. Matt Kitzmann questioned whether the issue should be approached on multiple fronts including safety concerns, possible ordinance violations or other substantive issues. The purpose of the meetings will be gathering evidence which will then be presented to Peter Tiede

for his review.

- Nathan Clarke asked questions as to why two different law firms are involved for the Pavilion Estates matter versus the Wild Rose matter. It was explained that when the township is sued and MATIT agrees to cover the litigation, they decide on which outside legal counsel to be assigned. When the township initiates action not covered by MATIT then the township chooses the legal counsel.
- Randy Staver was asked to return with information at the next meeting as to how much has been spent for legal expense on this matter.
- A question was raised whether homeowner covenants exist that might prohibit what is happening with the property. Covenants do exist but it is uncertain whether this subject is covered.

#### **Audio / Video System –**

- Matt Kitzmann provided an update. He was expecting a presentation regarding a state of the art system but the individual / company was not present at the meeting. Matt will follow up. The proposed system is largely wireless and would have both audio and video capabilities. The system could easily be expanded to cover an overflow area in cases of a large meeting. Someone would need to be identified to operate the system. Estimated cost of the system ranges to \$35,000.
- Nathan Clarke asked questions whether other tools or services such as Zoom or Teams could accomplish the same goals, would be more easily usable, and less costly.

#### **Annual Township Picnic –**

- Randy Staver referred to a summary sheet for picnic details. A total of \$1,934.50 was spent which was over what was budgeted. Part of the reason is simply due to inflationary cost increases.
- Jamie Neisen suggested that the cost be explicit in the next annual budget. He also suggested perhaps using tickets to better manage quantities. He suggested that there be a point person such as perhaps the vice-chair to ensure that all aspects are covered.

#### **Land Use Planning Workgroup –**

- A group has not been formed yet. Roger Ihrke has asked if Planning & Zoning members should be included. Given open meeting rules, two P&Z members could participate. Nathan Clarke and Jamie Neisen agreed to represent the board. It was suggested that one or two members of the public should also participate.

#### **Decorah Edge Approval Authority –**



- The original township request and the county response was discussed. Essentially, the county is stating that the township serves as the road authority. Each entity, township, city or county are obligated to follow State rules and the township therefore needs to comply with language in the Wetland Conservation Ordinance or utilize defined exemptions.

#### **Re-use of Historic Structures –**

- Roger Ihrke sent an email to the board regarding the Biermann house and whether the board wants to consider adding language to the township zoning ordinance to allow for re-use of historic structures.
- Jamie Neisen moved to ask Roger to draft language to add to the zoning ordinance regarding re-use of historic structures. Brian Zmolek seconded.
- All voted in favor and the motion passed.

#### **Speed Trailer –**

- Jamie Neisen presented a couple of cost proposals for speed trailers. Depending on the installation, some devices are more easily moved than others. He is not intending action at this meeting but only to continue the discussion. He has questions as to who installs and maintains the trailer and various annual or ongoing costs. In response to a question, Jamie stated that the less costly trailer could be upgraded if desired.
- A question raised is whether the device will be used for education (convey speed information) or collect data. Simply having the device may help people understand their speed and illicit the desired behavior. There was also a question what the township would do with any data collected.
- Jamie suggested we talk to Pat McGowan for his input.

#### **Investments – Certificate of Deposit –**

- Randy Staver said there was no new information to present this month. Jamie Neisen asked if the board is ok with considering non-local financial institutions and the general consensus was that would be advisable. Randy asked for any ideas that could be researched.

#### **Reports:**

##### **Treasurer's Report –**

- Treasurer Randy Staver reported. He noted additional detail provided for the main checking account to allow for significant designated funds including ARPA funds and funds designated for a road construction project. He also noted the return of some MATIT funds in the amount of \$6,564 that the township had mistakenly received. The funds should have gone to the law firm representing the township on the Pavilion Estates litigation. Finally, he noted an expenditure

of \$88,414 to Griffin Construction for the road project in Lilly 4.

- Jamie Neisen moved approval of the treasurer's report. Nathan Clarke seconded. All voted in favor and the motion passed.

**Rochester Township Claims** – Matt Kitzmann moved and Nathan Clarke seconded to accept and pay Rochester Township claims #5078-5125 in the amount of \$214,356.49. All voted in favor and the motion passed. There was a question raised as to whether the township should pay the carpet cleaning expense for the TCPA office space and it was felt TCPA should pay the expense.

**JPB Claims** – Jamie Neisen moved and Nathan Clarke seconded to accept and pay Joint Powers Board claims #5921-5942 and the Rochester Township share in the amount of \$18,093.77, and a payroll share of \$9,832.81. All voted in favor and the motion passed.

#### **Road Maintenance Supervisor Report –**

- Randy Staver reported on behalf of Pat McGowan who had provided written comments.
- Summer projects are winding down. Mowing is going well and the crew will start fall maintenance and finishing up smaller projects. Next month they will transition to tree removal using the State of MN 10/1 to 5/1 Emerald Ash Bore suggested guidelines. We may need to consider a larger tree budget as Rochester Township has a larger than usual impacted area of Emerald Ash Bore in the ROW.
- Luke Lentz has started as a part-time person to help with road projects. It has worked well and he has been working on back-fill of curbs and shaping of ditches.
- Pat wants to make sure the truck fleet is DOT compliant before snowfall. The F-450 would not have passed DOT inspection with belts showing so all six tires were replaced. He went with a different brand since the Continental tires only lasted 56,000 miles and performed very poorly in the winter.
- There is an issue in Woodlands III where the development adjoins a previous development and does not give the development drainage on the north side of the Galena and Glenwood intersection. Pat has spoken with Dave Adamson from Elcor and it will be addressed.
- The contractor will start work on the floor in the shop on Tuesday. Chris, Tim, and Luke will clear out the shop on Monday and there is a plan to protect the equipment from theft and environment conditions while the project takes place.

#### **TCPA Report –**

- Jeff Orth reported. He was unable to attend the meeting. The biggest issue

continues to be finding Roger's replacement.

**Board of Adjustment Report –**

- No meeting this month.

**Planning and Zoning Commission Report –**

- The September meeting is scheduled for September 20<sup>th</sup>.
- Nothing reported beyond what was stated earlier.

**Board Chair Report –**

- Jeff has received communications from various folks that are at times antagonistic and sometimes challenging to deal with.

**Upcoming Meetings –**

- Planning and Zoning Commission – September 20, 2022 – 7:00 pm.
- Joint Powers Board – October 21, 2022 – 9:00 am – Cascade town hall

**Meeting Adjourned** – Jamie Neisen moved to adjourn the meeting. Brian Zmolek seconded. All voted in favor and the motion passed. Meeting was adjourned at 10:05 pm.

Respectfully Submitted,

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Randy Staver, Clerk / Treasurer

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Jeff Orth, Chairman



**Mail Purchase  
Orders to:**

3100 Research Dr.  
State College, PA  
16801

All Traffic Solutions Inc.  
14201 Sullyfield Circle,  
Ste 300  
Chantilly, VA 20151  
Phone: 814-237-9005  
Fax: 814-237-9006  
DUNS #: 001225114  
Tax ID: 25-1887906  
CAGE Code: 34FQ5

Contract:

**QUOTE Q-70663**

**DATE:** 09/29/2022

**PAGE  
NO:** 1

**Questions contact:  
MANUFACTURER:  
All Traffic Solutions**

Owen Lauerman  
(571) 549-3766  
x  
olauerman@alltrafficsolutions.co  
m

**Independent Sales Rep:**

**BILL TO:**

Rochester Township MN  
4111 11th St. SW  
Rochester MN 55902

**SHIP TO:**

Rochester Township MN  
4111 11th St. SW  
Rochester MN 55902  
Attn: Jamie Neisen

Billing Contact: 0030y00002WTz1YAAT

**PAYMENT**

**TERMS:**  
Net 30

**CUSTOMER:** Rochester  
Township MN

**CONTACT:**(507) 258-5215

ITEM NO:	DESCRIPTION:	QTY:	EACH:	EXT. PRICE:
4000566	Shield 15 Speed Display; base unit w/ mounting bracket	1	\$3,245.00	\$3,245.00
4000750	App, Mobile User Interface perpetual license (only 1 req'd per account)	1	\$0.00	\$0.00
4001626	VZW communications prep	1	\$0.00	\$0.00
4000519	Traffic Data Collection; stores vehicle statistics locally for later analysis	1	\$500.00	\$500.00
4000716	Solar battery kit, (Sh12,Sh15,SA18,iA18): 26Ah batt & enclosure, w/ solar controller	1	\$426.00	\$426.00
4000659	Solar panel, 50W; includes bracket for pole and harness	1	\$450.00	\$450.00
4001299	3 Year Warranty	1	\$0.00	\$0.00
4001190	Discount - New Purchase	1	(\$400.00)	(\$400.00)
4000641	Shipping and Handling Common Carrier	1	\$125.00	\$125.00
4000631	Bluetooth: allows wireless control from any Bluetooth enabled device (sold separately)	1	\$400.00	\$400.00

Special Notes:

**SALES  
AMOUNT:**

\$4,746.00

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**TOTAL  
USD:**

\$4,746.00

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Duration: This quote is good for 60 days from date of issue.

Shipping Notes: All shipments shall be FOB shipper. Shipping charges shall be additional unless listed on quote.

Taxes: Taxes are not included in quote. Please provide a tax-exempt certificate or sales tax will be applied.

Warranty: Unless otherwise indicated, all products have a one year warranty from date of sale. Warranty extensions are a component of some applications that are available at time of purchase. A Finance Charge of 1.5% per month will be applied to overdue balances. GSA GS-07F-6092R

Authorization: By Signing below, I indicate that my organization does not require a purchase order and I am authorized to commit my organization to this order.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_



**Mail Purchase  
Orders to:**

3100 Research Dr.  
State College, PA  
16801

All Traffic Solutions Inc.  
14201 Sullyfield Circle,  
Ste 300  
Chantilly, VA 20151  
Phone: 814-237-9005  
Fax: 814-237-9006  
DUNS #: 001225114  
Tax ID: 25-1887906  
CAGE Code: 34FQ5

Contract:

**QUOTE Q-70663**

**DATE:** 09/06/2022

**PAGE  
NO:** 1

**Questions contact:  
MANUFACTURER:  
All Traffic Solutions**

Owen Lauerman  
(571) 549-3766  
x  
olauerman@alltrafficsolutions.co  
m

**Independent Sales Rep:**

**BILL TO:**

Rochester Township MN  
4111 11th St. SW  
Rochester MN 55902

**SHIP TO:**

Rochester Township MN  
4111 11th St. SW  
Rochester MN 55902  
Attn: Jamie Neisen

Billing Contact: 0030y00002WTz1YAAT

**PAYMENT**

**TERMS:**  
Net 30

**CUSTOMER:** Rochester  
Township MN

**CONTACT:**(507) 258-5215

**ITEM NO:**

**DESCRIPTION:**

**QTY:**

**EACH:**

**EXT.  
PRICE:**

4000566	Shield 15 Speed Display; base unit w/ mounting bracket	1	\$3,245.00	\$3,245.00
4000750	App, Mobile User Interface perpetual license (only 1 req'd per account)	1	\$0.00	\$0.00
4001626	VZW communications prep	1	\$0.00	\$0.00
4000874	All Options Activation: Bluetooth, Traffic Data, Violator Alert, Pictures, (\$3000 Value, requires Traffic or Message Suite)	1	\$0.00	\$0.00
4000647	App, Traffic Suite (12mo); Equip Mgmt, Reporting, Image Mgmt, Alerts, Mapping and PremierCare	1	\$1,500.00	\$1,500.00
4000716	Solar battery kit, (Sh12,Sh15,SA18,iA18): 26Ah batt & enclosure, w/ solar controller	1	\$426.00	\$426.00
4000659	Solar panel, 50W; includes bracket for pole and harness	1	\$450.00	\$450.00
4001299	3 Year Warranty	1	\$0.00	\$0.00
4001190	Discount - New Purchase	1	(\$500.00)	(\$500.00)
4000641	Shipping and Handling Common Carrier	1	\$125.00	\$125.00

Special Notes:

**SALES  
AMOUNT:**

\$5,246.00

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**TOTAL  
USD:**

\$5,246.00

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Duration: This quote is good for 60 days from date of issue.

Shipping Notes: All shipments shall be FOB shipper. Shipping charges shall be additional unless listed on quote.

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Phone: 814-237-9005  
Fax: 814-237-9006  
DUNS #: 001225114  
Tax ID: 25-1887906  
CAGE Code: 34FQ5

Contract:

**QUOTE Q-70490**

**DATE:** 08/26/2022

**PAGE  
NO:** 1

**Questions contact:  
MANUFACTURER:  
All Traffic Solutions**

Owen Lauerman  
(571) 549-3766  
x  
olauerman@alltrafficsolutions.co  
m

**Independent Sales Rep:**

**BILL TO:**

Rochester Township MN  
4111 11th St. SW  
Rochester MN 55902

**SHIP TO:**

Rochester Township MN  
4111 11th St. SW  
Rochester MN 55902  
Attn: Jamie Neisen

Billing Contact: 0030y00002WTz1YAAT

**PAYMENT**

**TERMS:**  
Net 30

**CUSTOMER:** Rochester  
Township MN

**CONTACT:**(507) 258-5215

ITEM NO:	DESCRIPTION:	QTY:	EACH:	EXT. PRICE:
4000872	Shield 15B Speed Display; base unit w/ mounting bracket, Can be Upgraded to TrafficCloud	1	\$2,465.00	\$2,465.00
4000519	Traffic Data Collection; stores vehicle statistics locally for later analysis	1	\$500.00	\$500.00
4001626	VZW communications prep	1	\$0.00	\$0.00
4000716	Solar battery kit, (Sh12,Sh15,SA18,iA18): 26Ah batt & enclosure, w/ solar controller	1	\$426.00	\$426.00
4000659	Solar panel, 50W; includes bracket for pole and harness	1	\$450.00	\$450.00
4001299	3 Year Warranty	1	\$0.00	\$0.00
4001190	Discount - New Purchase	1	(\$100.00)	(\$100.00)
4000641	Shipping and Handling Common Carrier	1	\$125.00	\$125.00

Special Notes:

**SALES  
AMOUNT:**

\$3,866.00

**TOTAL  
USD:**

\$3,866.00

Duration: This quote is good for 60 days from date of issue.

Shipping Notes: All shipments shall be FOB shipper. Shipping charges shall be additional unless listed on quote.

Taxes: Taxes are not included in quote. Please provide a tax-exempt certificate or sales tax will be applied.

Warranty: Unless otherwise indicated, all products have a one year warranty from date of sale. Warranty extensions are a component of some applications that are available at time of purchase. A Finance Charge of 1.5% per month will be applied to overdue balances. GSA GS-07F-6092R



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Authorization: By Signing below, I indicate that my organization does not require a purchase order and I am authorized to commit my organization to this order.

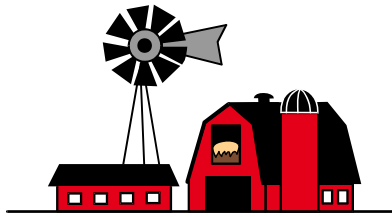
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

# **TOWNSHIP COOPERATIVE PLANNING ASSOCIATION**

**4111 11<sup>th</sup> Avenue SW Room 10  
Rochester, MN 55902**

**Phone: (507) 529-0774  
Fax: (507) 281-6821**



**Roger Ihrke, Administrator  
David H. Meir, Administrator**

**roger@tcpamn.org  
david@tcpamn.org**

**-- TCPA --**

Date: 9/19/2022

To: Rochester Township Board  
GMB LLC

Re: Metes & Bounds Subdivision  
Rochester Township – Millie Meadow Estates Second

Permit: RTMB-22-01

Meeting: Agenda item Thursday, October 13, 2022, after 7:00 pm – Rochester Town Hall

Owners/Applicants: GMB LLC, Gene Peters, 1320 Wicklow Lane SW, Rochester, MN 55902

Request: The owners/applicants are requesting a lot line shifts on their property that will reconfigure lots within Millie Meadow Estates Second. Three lots will be affected by this shift; lots 16, 18 and 19 all in block 1. Currently lot 18 consists of 2.05 acres and lot 19 consists of 2.19 acres. As shown on the proposed certificate of survey the lot 18 would become 2.04 acres and lot 19 would stay 2.19 acres. The survey does not show the affect the subdivision will have on lot 16 block 1. Lot 19's westerly lot line is proposed to be moved to the east 18.5 feet.

Parcel Numbers: Parcel(s) #: Lot 16 # 64.30.44.086228; Lot 18 # 64.30.44.086230 and Lot 19 # 64.30.44.086231.

Zoning: R-1 Low Density Residential District

Attachments:

1. Proposed surveys (by owner)
2. Preliminary Plat Millie Meadow Estates Second
3. Final Plat Millie Meadow Estates Second

History: Millie Meadow Estates Second was approved by the township on July 20, 2021. The developer is requesting to reconfigure the platted parcels to address owner access for land maintenance.

Conclusion: Since no new parcels are being created in this proposal it is considered a lot line shift. The reconfiguration of parcels within a platted subdivision does happen so this is not something we haven't seen before. Each of the lots being proposed meet all of the lot size standards within the Township's Ordinances. None of the recorded easements are changing but ownership of the underlying land would change. The drainfield illustrated on the preliminary plat is close to the property line between lots 18 and 19 block 1 and this development will move that lot line away from the septic area on lot 18 but closer the drainfield area on lot 19, both lots will still meet the required septic setback. Lot 16 block 1 has area which is overlayed by an easement away from the lot and adds it to lots 18 and 19 block 1.

Staff *recommends* approval of the proposed subdivision(s) based on the following conditions:

1. Certificate of Survey to change it illustrate changes to lot 16 block 1.



DATE: 4/03/2021  
DRAWN BY: MARK R. WELCH  
GMB LLC  
2314 SCENIC PARK PLACE SW  
ROCHESTER, MN 55902  
FILE NO.: 17-082 PP2

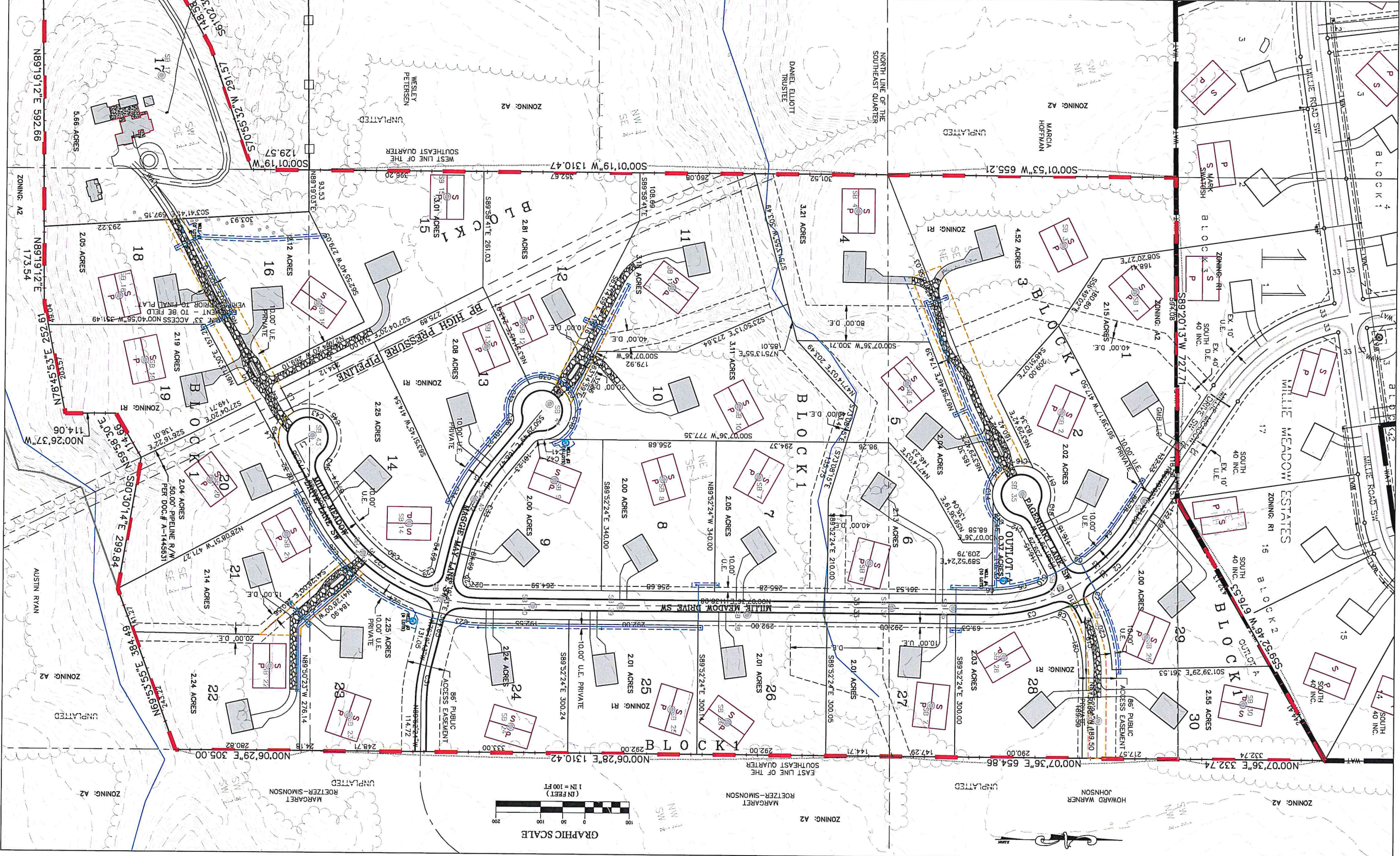
G-Cubed  
14070 Hwy 52 S.E.  
Chattfield, MN 55923  
ENGINEERING  
SURVEYING  
PLANNING  
Ph: 507.867.1665  
Fax: 507.867.1665  
www.g-cubed.com

DESIGNED: JLF  
DRAWN: JLF  
CHECKED: MRW

REVISION	BY	DATE
PRELIMINARY	JLF	8/5/2020
SUBMITTAL	ADB	9/29/2020
RESUBMITTAL	ADB	10/20/2020
RESUBMITTAL	JLF	11/4/2020
MRW		4/03/2021

ROCHESTER TOWNSHIP  
OLMSTED COUNTY  
BENCHMARK: MANDOT MONUMENT "ROCHESTER 32", ELEV: 1254.135

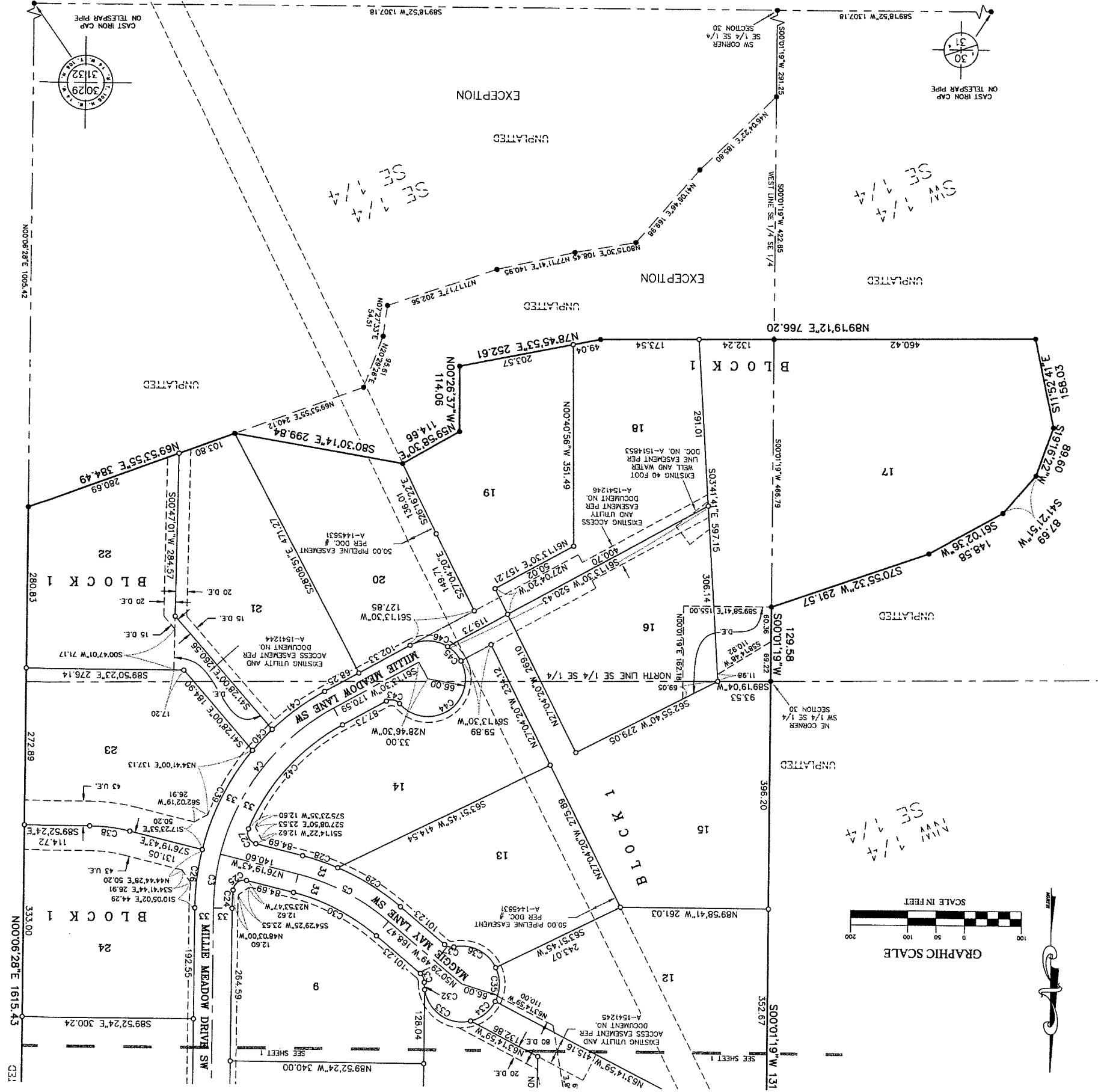
MILLIE MEADOW ESTATES SECOND  
PRELIMINARY PLAT  
SHEET 1  
OF 2 SHEETS





MILLIE MEADOW ESTATES SECOND

OFFICIAL PLAT  
10/13/2022 - 17



CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	198.77	400.00	28.2819°	S42°34'53"E	196.73
C2	198.77	400.00	28.2819°	S14°06'33"E	196.73
C3	94.56	400.00	13.3241°	S06°53'57"W	94.34
C4	331.99	400.00	47.3313°	S37°26'54"W	322.54
C5	180.34	400.00	25.4954°	N63°24'46"W	178.82
C6	165.25	433.00	21.5157°	S45°53'04"E	164.25
C7	127.33	367.00	19.5432°	S46°52'41"E	126.69
C8	27.65	19.00	83.2338°	S76°38'54"E	25.28
C9	32.69	19.00	98.3537°	N12°21'28"E	28.81
C10	17.34	19.00	52.1658°	N35°30'48"E	16.74
C11	105.05	66.00	91.1130°	S68°20'30"W	94.30
C12	56.73	66.00	49.1503°	S01°52'47"E	55.00
C13	56.73	66.00	49.1503°	S51°07'50"E	55.00
C14	32.15	66.00	27.5426°	S89°42'35"E	31.83
C15	77.14	66.00	66.5753°	N42°51'15"E	72.82
C16	17.34	19.00	52.1658°	N35°30'48"E	16.74
C17	32.69	19.00	98.3537°	N69°02'55"W	28.81
C18	27.65	19.00	83.2338°	S19°57'28"W	25.28
C19	155.11	333.00	26.4114°	N74°59'54"E	153.71
C20	132.68	267.00	28.2819°	N75°53'27"E	131.32
C21	114.81	367.00	17.5527°	S10°47'23"E	114.34
C22	165.25	433.00	21.5157°	S10°48'22"E	164.25
C23	12.52	367.00	01.5716°	S00°51'01"E	12.52
C24	31.71	367.00	04.5704°	S02°36'08"W	31.70
C25	32.69	19.00	98.3537°	S54°22'29"W	28.81
C26	102.36	433.00	13.3241°	S06°53'57"W	102.12
C27	32.69	19.00	98.3537°	N27°01'54"W	28.81
C28	65.08	433.00	08.3643°	S72°01'21"E	65.02
C29	130.14	433.00	17.1311°	N59°06'24"W	129.65
C30	165.46	367.00	25.4954°	N63°24'46"W	164.06
C31	17.34	19.00	52.1658°	N24°21'20"W	16.74
C32	12.71	66.00	11.0208°	N03°43'55"W	12.69
C33	109.14	66.00	94.4456°	N56°37'27"W	97.13
C34	56.73	66.00	49.1503°	S51°22'33"W	55.00
C35	60.92	66.00	52.5316°	S00°18'23"W	58.76
C36	88.29	66.00	76.3832°	S64°27'31"E	81.85
C37	17.34	19.00	52.1658°	S76°38'54"E	16.74
C38	70.92	300.00	13.3241°	S83°06'03"E	70.76
C39	195.46	433.00	25.5151°	S26°36'13"W	193.81
C40	50.27	433.00	06.3909°	S42°51'43"W	50.25
C41	113.64	433.00	15.0213°	S53°42'24"W	113.31
C42	249.55	367.00	38.5736°	N41°44'42"E	244.77
C43	25.56	19.00	77.0501°	N80°13'59"W	23.68
C44	192.47	66.00	16.70501°	S54°46'01"W	131.16
C45	34.56	66.00	30.0000°	S43°46'30"E	34.16
C46	69.12	66.00	60.0000°	S88°46'30"E	66.00
C47	98.85	433.00	13.7244°	S28°20'43"E	99.63

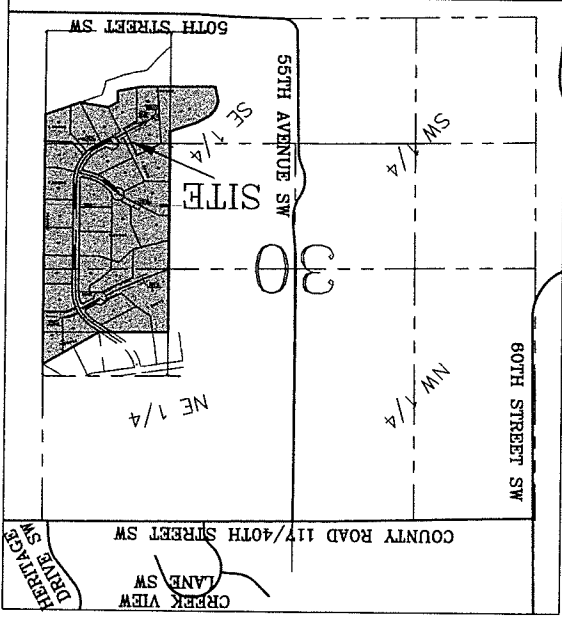
BEARINGS  
ALL BEARINGS ARE BASED ON THE EAST LINE OF THE  
THE NORTHEAST QUARTER OF SECTION 30--T16N--R14W  
WHICH IS ASSUMED TO BEAR N00°07'36"E/S00°07'36"W  
SHOWN.

UTILITY EASEMENTS ARE 10 FEET IN WIDTH  
ADJACENT TO LOT LINES UNLESS OTHERWISE  
SHOWN.

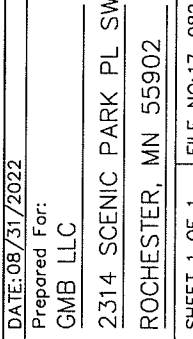
LEGEND

- 1/2 INCH IRON PIPE WITH PLASTIC CAP
- STAMPED LS 21940 SET
- FOUND MONUMENTS ARE 1/2 INCH
- IRON PIPES UNLESS OTHERWISE NOTED
- DRAINAGE EASEMENT
- UTILITY EASEMENT
- EASEMENT LINE
- SECTION LINE
- CENTERLINE
- SHEET MATCH LINE

VICINITY MAP  
T. 106 N., R. 14 W., SEC. 30  
"NOT TO SCALE"



10/13/2022 - 18



# TOWNSHIP COOPERATIVE PLANNING ASSOCIATION

4111 11<sup>th</sup> Avenue SW Room 10  
Rochester, MN 55902

Phone: (507) 529-0774  
Fax: (507) 281-6821



Roger Ihrke, Administrator  
David H. Meir, Administrator

roger@tcpamn.org  
david@tcpamn.org

-- TCPA --

Date: 10/06/2022

To: Rochester Town Board  
Peter & Cindy Steffen  
W. Bruce & Lois B. Fye

Re: Lot-Line Shift  
Rochester Township - Section 07

Permit: RTMB-22-02

Meeting: Agenda Item: Thursday, October 13<sup>th</sup>, 2022; after 7:00 pm - Rochester Town Hall

Owner/Applicants: Peter & Cindy Steffen – 1505 Seasons Lane SW – Rochester, MN 55902  
W. Bruce and Lois B. Fye – 1533 Seasons Lane SW – Rochester, MN 55902

Request: The owner/applicant(s) live next door to one another on Seasons Lane SW. W. Bruce and Lois B. Fye recently needed to upgrade the septic system located in their backyard. In moving construction equipment to the backyard, the contractor destroyed some trees and damaged the land on the Peter & Cindy Steffen property. To compensate the neighbors for the damage, Fye agreed to purchase the damaged area from Steffen.

The strip of land being transferred from Steffen to Fye will be 20 feet wide by 244+/- feet long and comprised of 4,880 sq.ft. or approximately .11 of an acre. The Steffen property is currently comprised of 2.49 deeded acres which does not include the road right-of-way. After the transfer the Steffen parcel will be 2.38 acres which exceeds the two acre minimum for a platted lot in the R-1; Low Density Residential District.

No new parcels are being created.

Location: Parcel #: 640724059652 - Fye  
SECT-07 TWP-106 RANGE-014 WEATHERWOOD 2ND SUB LOT-002 BLOCK-002  
3.18 AC LOT 2 BLK 2

Parcel #: 640724059651 - Steffen  
SECT-07 TWP-106 RANGE-014 WEATHERWOOD 2ND SUB LOT-001 BLOCK-001  
2.49 AC LOT 1 BLK 2

Zoning: R-1; Low Density Residential District

Attachments:

1. Application Form
2. Project Description by Applicant
3. Proposed Survey by Applicant
4. Location Map
5. Subdivision Plat Map
6. Aerial Photo Map
7. Zoning Map
8. Parcel Combination Form

Ordinance: Section 6.02 R-1 LOW DENSITY RESIDENTIAL DISTRICT:

The purpose of this district is to provide for low density residential development in those areas described as "Suburban Subdivision Area" within the Comprehensive Plan that have suitable soils for long-term private sewage systems and those areas suitable for Low Density Residential within the Urban Service or Reserve Area served by Public or other centralized sewage collection and treatment system.

A. Permitted Uses:

1. One single-family detached dwelling per lot.

2. Lot Area Regulations:

- a) There shall be a minimum lot size of two (2) acres per new residential dwelling unit, except when additional lot area is required by the County Health Department to meet the Board of Health regulations.

4. Side Yard Regulations:

- c) A minimum interior side yard width of not less than eight (8) feet shall be provided. Except that at least one side yard shall be maintained with a minimum width of twenty (20) feet, except where the lot width at the building line is less than one hundred twenty (120) feet then at least one side yard shall have a minimum width of sixteen (16) feet.

6. Lot Width Regulations:

- a) A lot served by private sewerage shall have a minimum width of one hundred twenty (120) feet at the front building line.

Analysis:

The owner/applicant(s) live next door to one another on Seasons Lane SW. W. Bruce and Lois B. Fye recently needed to upgrade the septic system located in their backyard. In moving construction equipment to the backyard, the contractor destroyed some trees and



damaged the land on the Peter & Cindy Steffen property. To compensate the neighbors for the damage, Fye agreed to purchase the damaged area from Steffen.

The strip of land being transferred from Steffen to Fye will be 20 feet wide by 244+/- feet long and comprised of 4,880 sq.ft. or approximately .11 of an acre. The Steffen property is currently comprised of 2.49 deeded acres which does not include the road right-of-way. After the transfer the Steffen parcel will be 2.38 acres which exceeds the two acre minimum for a platted lot in the R-1; Low Density Residential District.

R-1 Lot Criteria:

Lot Area Regulations:

As described above the Steffen parcel, after the transfer of the land strip, will be 2.38 acres without the road right-of-way which exceeds the minimum two-acre lot size required by the ordinance. The Fye parcel size will increase from 3.17 acres to 3.28 acres.

Side Yard Regulations:

Based on Olmsted County GIS maps the Steffen dwelling is approximately 143+/- feet from their current southeasterly property line. After the transfer of the strip of land the side yard setback will be 123+/- feet, exceeding the required 8'/20' side yard criteria. The Fye northwesterly property line side yard setback will increase from 36 feet to 56 feet.

Lot Width Regulations:

According to the recorded plat of Weatherwood Second Subdivision the Steffen property currently has 259.71 feet of road frontage. After the transfer of the land strip their road frontage will be 239.71 feet, exceeding the required 120 feet of frontage required by the ordinance. The Fye parcel frontage will increase from 190.84 feet to 210.84 feet.

Access:

The proposed lot line shift will not affect access to either parcel. The access to each parcel will remain the same.

Conclusion:

Staff recommends approval of the proposed subdivision with the following conditions;

1. The applicant provides a survey of the proposed parcels that meets the ordinance criteria as defined in this report. (provided already)
2. The applicant – Fye - signs a parcel combination request form to combine the land strip with their existing dwelling parcel.

**TOWNSHIP COOPERATIVE PLANNING ASSOCIATION - ZONING APPROVAL OF METES & BOUNDS SUBDIVISION APPLICATION**

You can fill in the fields on this form on your computer or print the form and fill it in by hand.

4111 11<sup>th</sup> Avenue SW Room 10  
Rochester, MN 55902

-- **TCPA** --

RTMB-22-02 (507) 529-0774  
Fax: (507) 281-6821

TOWNSHIP ROCHESTER

DATE SEPTEMBER 8, 2022

**INSTRUCTIONS:** complete this application form and return it to the Township Cooperative Planning Association with all required materials and the application fee. The Administrator will review the application for compliance with the Zoning Ordinance. If all requirement(s) of the Zoning Ordinance are met, the application will be forwarded to the Township Board of Supervisors for review at the monthly Town Board meeting. The applicant will be notified of the date and time of the meeting and should attend to answer any questions the Board may have.

After approval by the Town Board of Supervisors, an application will be submitted with the Certificate of Survey to the Olmsted County Planning Department and Public Works for their approval to complete the process. The Applicant will also be required to pay any fees associated with this process.

Legal Description of the property to be subdivided as it exists at the present time:

LOT 1, BL 2, WEATHERWOOD 2<sup>ND</sup> - STEFFEN  
LOT 2, BL 2, WEATHERWOOD 2<sup>ND</sup> - FYE

Plat # \_\_\_\_\_

Parcel # 64.07.24.059652-FYE  
64.07.24.059651-STEFFEN

Reason for subdividing land:

COMPENSATE NEIGHBOR FOR DAMAGE TO PROPERTY AS A RESULT  
OF UPGRADING SEWER SYSTEM

Please attach a site plan with accurate scaled drawing of the proposed subdivision!

Property Owner PETER AND CINDY STEFFEN Applicant W. BRUCE AND LOIS B. FYE

Address 1505 SEASONS LANE SW  
ROCHESTER MN 55902  
City State Zip code

Address 1533 SEASONS LANE SW  
ROCHESTER MN 55902  
City State Zip code

Telephone 507-529-7762

Telephone 507-261-8351

Signature P. Steffen C. Steffen

Signature W. Bruce Fye Lois B Fye

Return the completed application with accurate site plan identifying the property as it exists and proposed metes and bounds subdivision. Also include on the site plan any existing buildings, wells, septic systems, and other structures and their distances from the proposed property line. A Certificate of Survey will be required after approval of the subdivision by the Town Board.

An application fee of \$816.00 is required to process the application. Please submit a check made payable to **TCPA** with this application. It will not be processed until the fee is submitted.

Reason for subdividing land:

A new septic system was installed in the back of 1533 Seasons Lane SW and dump truck access to the site for the system resulted in damage to underbrush and a few trees that are on the property of Peter and Cindy Steffen (1505 Seasons Lane SW). The Fyes would like to buy the land that was affected.

Surveyed by Joel Thoreson (see Certificate of Survey signed and dated September 8, 2022

Area 20 feet by approximately 244 feet (0.11 acres) [Steffen's lot goes from 2.48 to 2.37 acres]

Property Owner:

Peter and Cindy Steffen  
1505 Seasons Lane SW  
Rochester, MN 55902

507-529-7762

Applicant

W. Bruce and Lois B. Fye [a trust]  
1533 Seasons Lane SW  
Rochester, MN 55902

507-261-8351

SEQUENCE:

TCPAMN (David) Wednesday, August 31<sup>st</sup> at 9 a.m.  
Organize the metes and bounds process

Surveyor (Joel Thoreson – set up for week of Labor Day (Peter will be there)  
Done – September 8, 2022

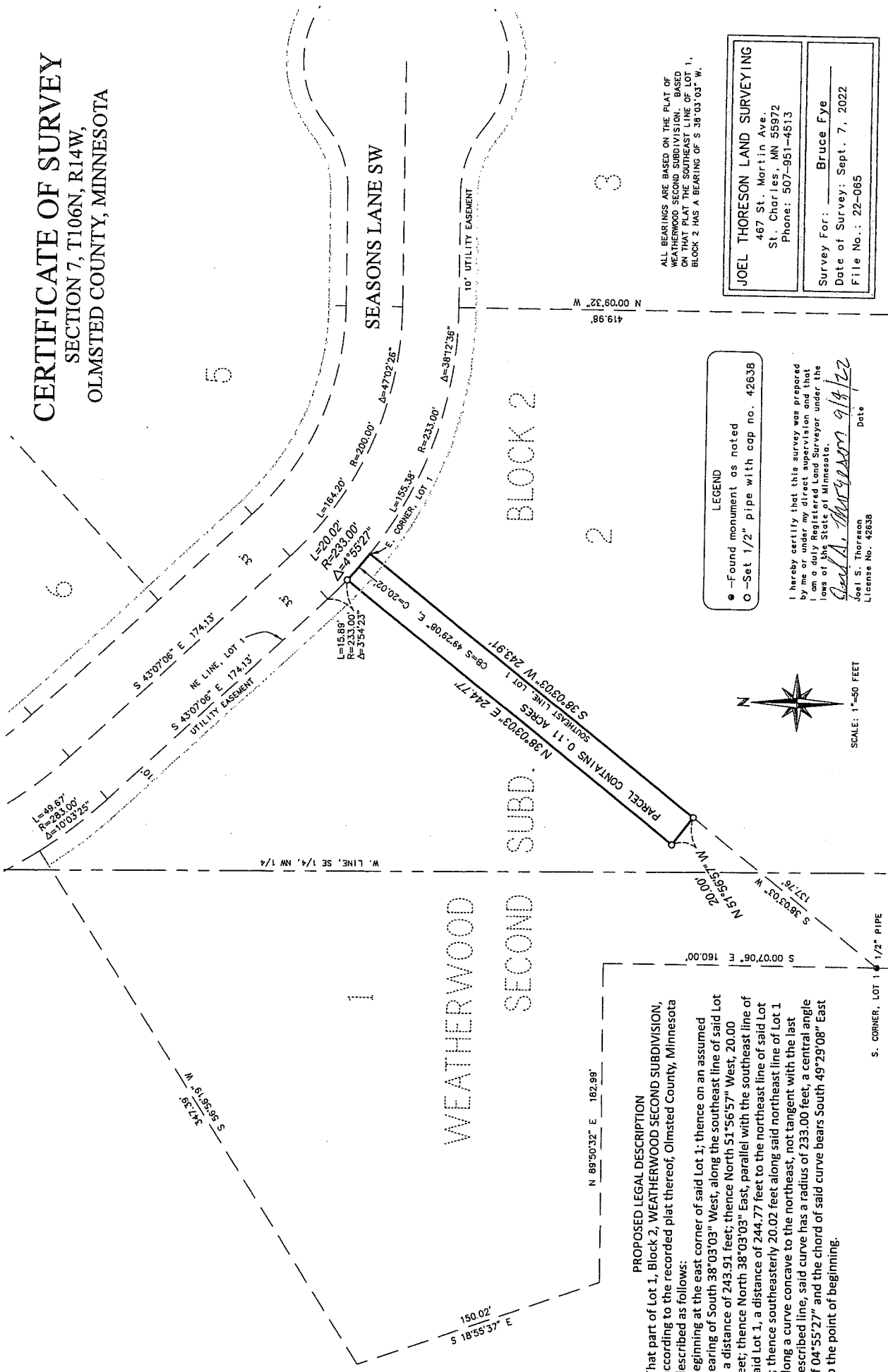
Appraiser Warfield – not set up 507-252-1615  
Bruce has called – awaiting return call

Title – Legal Jay Hansen – not set up 507-252-0123 (Deed)  
Bruce will set up

Rochester township meeting – 2<sup>nd</sup> Thursday of the month

# CERTIFICATE OF SURVEY

SECTION 7, T106N, R14W,  
OLMSTED COUNTY, MINNESOTA



**PROPOSED LEGAL DESCRIPTION**

That part of Lot 1, Block 2, WEATHERWOOD SECOND SUBDIVISION, according to the recorded plat thereof, Olmsted County, Minnesota described as follows:

Beginning at the east corner of said Lot 1; thence on an assumed bearing of South 38°03'03" West, along the southeast line of said Lot 1 a distance of 243.91 feet; thence North 51°56'57" West, 20.00 feet; thence North 38°03'03" East, parallel with the southeast line of said Lot 1, a distance of 244.77 feet to the northeast line of said Lot 1; thence southeasterly 20.02 feet along said northeast line of Lot 1 along a curve concave to the northeast, not tangent with the last described line, said curve has a radius of 233.00 feet, a central angle of 04°55'27" and the chord of said curve bears South 49°29'08" East to the point of beginning.

ALL BEARINGS ARE BASED ON THE PLAT OF WEATHERWOOD SECOND SUBDIVISION. BASED ON THAT PLAT THE SOUTHEAST LINE OF LOT 1, BLOCK 2 HAS A BEARING OF S 38°03'03" W.

<b>JOEL THORESON LAND SURVEYING</b> 467 St. Martin Ave. St. Charles, MN 55972 Phone: 507-951-4513	
Survey For: <u>Bruce Fye</u> Date of Survey: <u>Sept. 7, 2022</u> File No.: <u>22-085</u>	

- LEGEND**
- - Found monument as noted
  - - Set 1/2" pipe with cap no. 42638

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

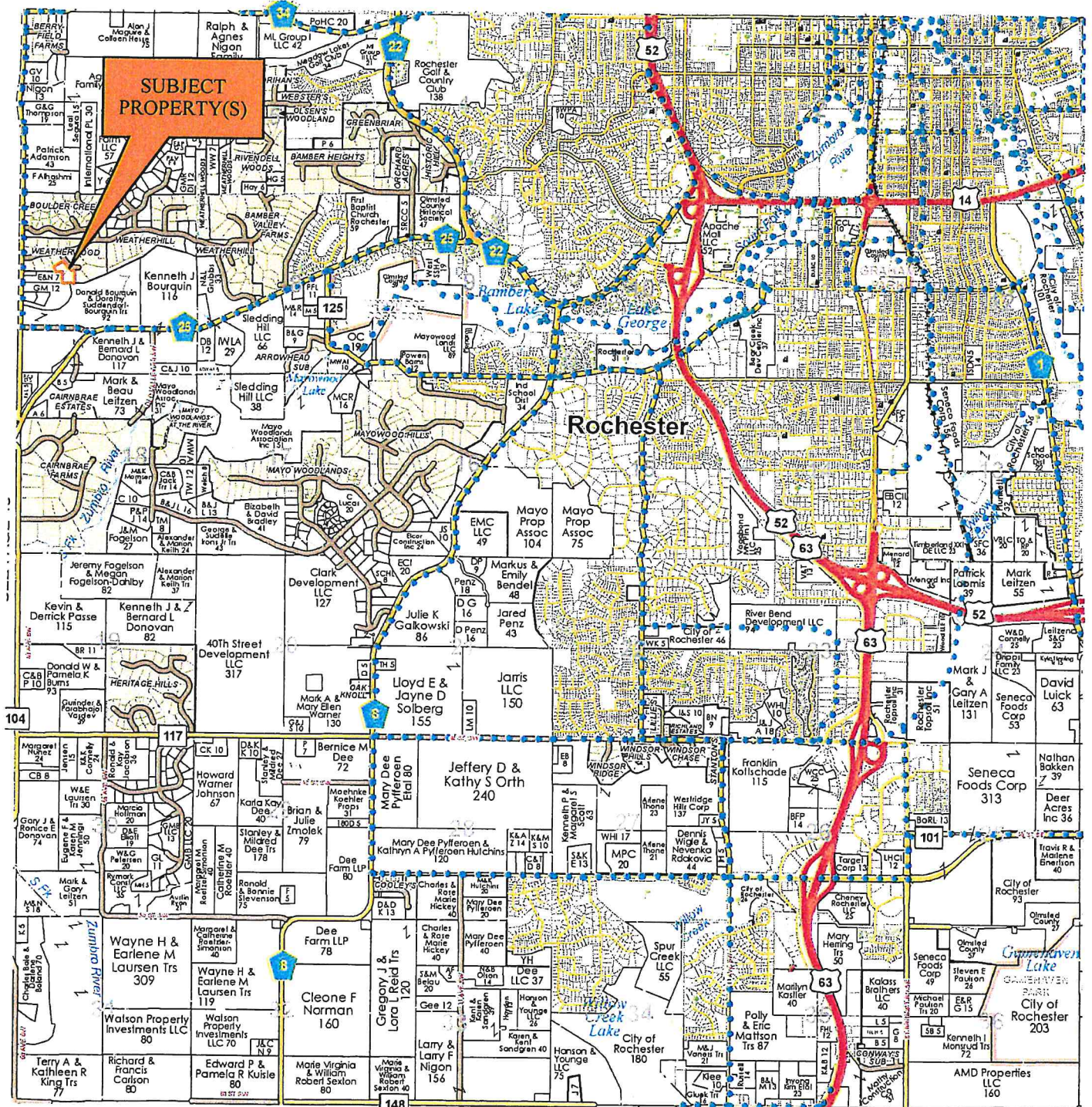
Joel S. Thoreson 9/8/22  
 License No. 42638 Date



SCALE: 1"=50 FEET



# PLAT MAP



## LEGAL DESCRIPTIONS:

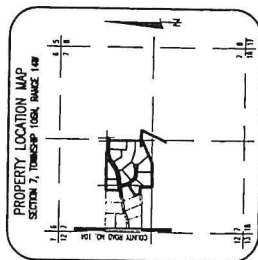
Parcel #: 640724059652 - Fye  
SECT-07 TWP-106 RANGE-014 WEATHERWOOD 2ND SUB LOT-002 BLOCK-002 3.18  
AC LOT 2 BLK 2

Parcel #: 640724059651 - Steffen  
SECT-07 TWP-106 RANGE-014 WEATHERWOOD 2ND SUB LOT-001 BLOCK-002 2.49  
AC LOT 1 BLK 2

TCPA  
4111 11th Avenue SW  
Rochester, MN 55902  
[www.tcpamn.org](http://www.tcpamn.org)  
507-529-0774



**WEATHERWOOD SECOND SUBDIVISION**



**UTILITY EASEMENT** defined:  
An unobstructed easement for the construction and maintenance of all necessary underground or surface public utilities including rights to conduct drainage and turning on said easement.

**DRAINAGE EASEMENT** defined:  
An unobstructed easement for the operation and maintenance of waterways, both surface and underground, running over, across, and under said easement.

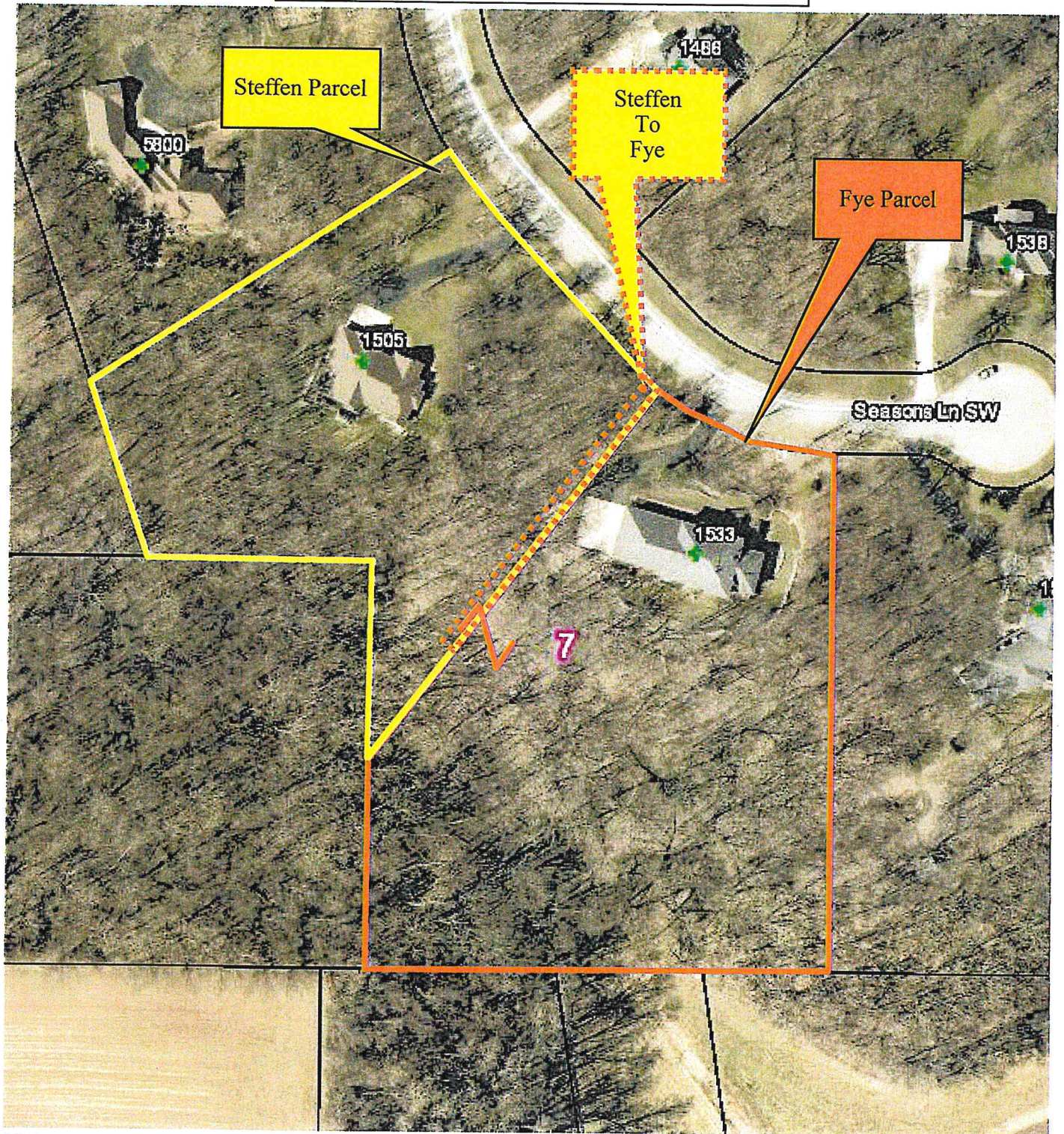
[illegible]

PREPARED BY:  
MCNEE & BETTS, INC.  
CONSULTING ENGINEERS  
PLANNERS, LAND SURVEYORS  
ROCKVILLE, MARYLAND

WEATHERWOOD SECOND SUBDIVISION SHEET 2 OF 2 SHEETS  
ROCKFESTER, MINNESOTA



# AERIAL PHOTO MAP



## LEGAL DESCRIPTIONS:

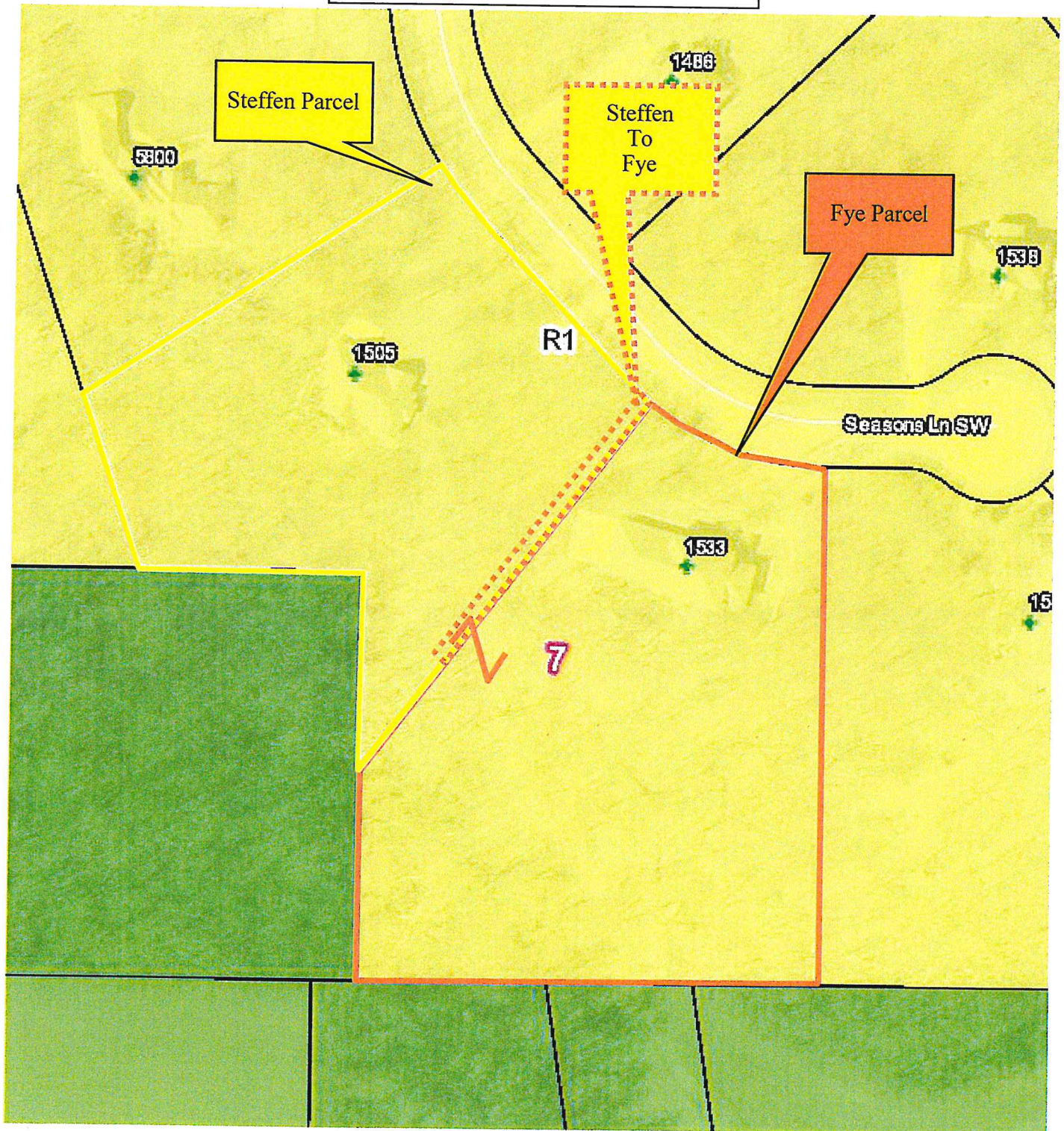
Parcel #: 640724059652 - Fye  
SECT-07 TWP-106 RANGE-014 WEATHERWOOD 2ND SUB LOT-002 BLOCK-002 3.18  
AC LOT 2 BLK 2

Parcel #: 640724059651 - Steffen  
SECT-07 TWP-106 RANGE-014 WEATHERWOOD 2ND SUB LOT-001 BLOCK-002 2.49  
AC LOT 1 BLK 2

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507-529-0774



# ZONING MAP



## LEGAL DESCRIPTIONS:

Parcel #: 640724059652 - Fye  
SECT-07 TWP-106 RANGE-014 WEATHERWOOD 2ND SUB LOT-002 BLOCK-002 3.18  
AC LOT 2 BLK 2

Parcel #: 640724059651 - Steffen  
SECT-07 TWP-106 RANGE-014 WEATHERWOOD 2ND SUB LOT-001 BLOCK-002 2.49  
AC LOT 1 BLK 2

TCPA  
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Rochester, MN 55902  
[www.tcpamn.org](http://www.tcpamn.org)  
507-529-0774





## REQUEST TO COMBINE TAX PARCELS

Company Name: \_\_\_\_\_

I, \_\_\_\_\_ representative of business

I, W. Bruce Fye - Trustee, Lois B. Fye - Trustee owner(s) residential property

Request the following parcels be combined for tax purposes.

Parcel # 64.07.24.059652

Parcel # TBD

Parcel # \_\_\_\_\_

Parcel # \_\_\_\_\_

Parcel # \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

☒ By signing this form, you have acknowledged that you have read and understand the potential changes to your property rights.

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Phone #: (507) 261 - 8351

Return to: Olmsted County PRL

151 4<sup>th</sup> St SE

Rochester, MN 55904

Phone: 507 328-7670

Fill out – sign-scan form: drop off, mail or email to: [dawn.campion@olmstedcounty.gov](mailto:dawn.campion@olmstedcounty.gov)

Staff: Intake \_\_\_\_\_ Date: \_\_\_\_\_

<input type="checkbox"/> Same Name	Plat #:	<input type="checkbox"/> yes <input type="checkbox"/> no	Twp	<input type="checkbox"/> yes <input type="checkbox"/> no	Sec	School Dist	<input type="checkbox"/> yes <input type="checkbox"/> no
Delinquent taxes			TIF Dist			Special Assessments	

**TO:** Rochester Township

**FROM:** Roger Ihrke, Zoning Administrator

**DATE:** October 1, 2022

**RE:** Environmental Assessment Worksheet (EAW) for Royal Oaks

Background:

The 1973 Minnesota Environmental Policy Act, administered statewide through the Environmental Quality Board, is the basis for the present Environmental Review Program of the State of Minnesota. Different types of environmental reviews are used to identify early the potential impacts of a project and provide time for the decision makers to require that mitigative measures are incorporated into the project design before local permits are granted.

The first level of environmental review is known as an Environmental Assessment Worksheet or "EAW". The specific content, environmental scope, and procedures for an EAW are specified in Minnesota Rules. The rules mandate what type of projects must go through the EAW process and who will act as the responsible unit of government to determine if additional environmental review is necessary in the form of a much more detailed Environmental Impact Statement or "EIS".

Minnesota Rule 4410.4300 lists the mandatory EAW categories. Subpart 19 Residential Development A. Fifty or more unattached or 75 or more attached units in an unsewered unincorporated area or 100 unattached units or 150 attached units in a sewerer unincorporated area.

The Royal Oaks residential development project meets the criteria of a mandatory EAW category in that it will eventually result in the permanent conversion of agricultural, native prairie, forest, or naturally vegetated land into more than 50 residential lots.

The local unit of government (Rochester Township), by Minnesota Rule, has been assigned the responsibility for the EAW preparation and review. The EAW is used as a tool by the local unit in determining if a project should proceed. The tool is valuable when determining findings for approval or denial of a project. Many times, conditions of approval are derived through the EAW process.

In this instance the property covers 315.4 acres of agricultural and forested land converting it into 84 residential lots and one stormwater retention outlot. The development will include lot grading, public streets, private stormwater management with township oversight, individual sanitary sewer systems and shared water systems. Access will be obtained via roadway extensions onto the county and township roadway systems.

### **EAW Process:**

The Environmental Assessment Worksheet for the Royal Oaks residential development was sent to the Environmental Quality Board (EQB) with the notice of availability being published in the EQB Monitor on August 9, 2022. Electronic copies were made available on the Township Cooperative Planning Association web site along with paper copies available to the public at Township Cooperative Planning Association, 4111 11<sup>th</sup> Ave SW, Rochester, MN. Electronic and or paper copies of the EAW were sent to each County, State and Federal Agency from a list provided by the EQB. Notification was sent to members of the Rochester Town Board, Rochester Township Planning Commission, and Olmsted County Planning Department.

The 30-day comment period expired on September 8, 2022. The following comments from regulatory agencies were received regarding this EAW and the development and are included:

1. Mark Engel, Olmsted County Planning Department
2. Karen Kromar, Minnesota Pollution Control Agency
3. Jennifer Tworzyanski, Minnesota Department of Administration, State Archaeologist
4. Samantha Bump, Minnesota Department of Natural Resources, National Heritage Review
5. Melissa Collins, Minnesota Department of Natural Resources

(All 5 comments are listed as Exhibit 1)

No public comments were received.

### **RGU Responsibilities:**

Under Minnesota Rules, the RGU is responsible for determining the need for further environmental review of a project by preparation of an Environmental Impact Statement (EIS). The decision facing the Township is whether a project has the potential for significant environmental effects and compares the impacts that may be expected to occur from the project with four criteria listed later within this report.

The Township must make either a negative or a positive declaration. If a negative declaration is made on the need for an EIS, then the Township must notify all persons or agencies that received copies of the EAW. The Environmental Quality Board is responsible to publish the decision in the EQB Monitor.

If a positive declaration is made, an EIS must be prepared. A positive declaration should include the time, date, and location of the public meeting to discuss the scope of the EIS.

Comments: (Exhibit 1)

Under the environmental review process, the RGU's record must provide written response to substantive comments received during the EAW comment period. In this instance written comments were received from the regulatory agencies listed above.

These comments were generally related to:

1. Water resources/Stormwater/Groundwater
2. Required permits and approvals
3. Contamination / Hazardous Material / Waste
4. Chloride for water softeners and road salt
5. Archeology
6. Karst geology
7. Wetlands
8. Dust and odors
9. Rare features
10. Phase 1 archaeological survey
11. Urban sprawl
12. Loss of farmland
13. Loss of plant and animal habitat
14. Additional vehicle miles traveled
15. Best management practices during construction

One of the charges within the EAW process is to accept comments and determine if inaccuracies are found within the EAW. Once found and pointed out, part of the process is to correct the record to provide the most accurate information to the decision makers. Rochester Township Staff has determined that the EAW, although determined to be complete, did contain errors. Updated documentation has been provided within the "Response to Public Comments" included within the applicant's response. (Exhibit 2).

Jeffrey Broberg of Blue Line Environmental Advisors PLLC. and Joe Tenley of WSE Massey Engineering, representing the developer for the project, have provided written response to these concerns, which are included with this report. You can find those responses as part of WSE

Massey Engineering and Surveying letter dated September 14, 2022 & supplement dated September 19, 2022. (Exhibit 2)

## **Staff Analysis & Response**

### **Mark Engle, Olmsted County Planning Staff**

5. Project location: Corrections made as indicated in the applicant's response as included in Exhibit 2
6. Project design: Corrections and clarifications made in the applicant's response as included in Exhibit 2
7. Cover types: Corrections and clarifications made in applicant's response as included in Exhibit 2
8. Permits: Corrections and clarifications made in applicant's response as included in Exhibit 2 in addition a conditional use permit to work in floodplain soils to allow for a roadway crossing will be required.
9. Land use: Exhibit 2 provides some corrections and clarifications which staff does not agree with:
  - a. The land use plan amendment for this area was completed in 1999 as stated by Olmsted County Planning.
  - b. The Rochester Township Subdivision Ordinance defines open space. In this instance the open space referenced does not meet the definition within the town's ordinance. Wildlife and/or environmental corridors have been used in the past in both Rochester Township and other areas of Olmsted County. The neighboring subdivision to the northeast, Woodland Valley Estates, included deed restrictions on some of the lots to prevent development within certain areas to allow for such a corridor. In this instance the developer is proposing something similar that would connect to the Woodland Valley Estates corridor to allow for an undisturbed area where wildlife can travel for water and food sources. The corridor as proposed would cover 23.4 acres across several lots.
  - c. The general development plan map indicates Decorah edge or Decorah edge features are present on the site. According to the lot layout those features are included within the wildlife/environmental corridor in which deed restrictions will prevent any type of development. Further analysis of this feature will be required during the development process to determine if additional Decorah analysis is required. The applicant will need to work closely with the Olmsted County Soil and Water Conservation District on these and other wetland issues on the site.
  - d. This development is surrounded by other large lot developments with minimal agricultural uses left in the area. To the east some small rural non-farm lots and tree farm estate with a recently subdivided and constructed non-farm dwelling. To the northeast is the Mayowood Estates subdivision which has preliminary

plat approval. To the north is a property which has been put into a "Woodland Stewardship Conservation Plan" that contains a growth of very old oak trees. To the northwest is the Woodland Valley Estates development and to the southwest is the Heritage Hills development. An 80-acre piece of farmland lies between Woodland Valley Estates and Heritage Hills as the only row cropped property left in the area. Animal agriculture has not existed in the area for some time. The property being developed was at one time a "bull farm" meaning breeding livestock was raised. Any areas which were not row cropped were fenced and used as pasture. The proposed lots within the development average 3.75 acres in size which allows for the preservation of more of the property's natural features. Of the 75 acres of woodlands the proposal shows that only 5 of the 75 will be removed for development.

10. Geology: Corrections and clarifications made in applicant's response as included in Exhibit 2
11. Water resources: Corrections and clarifications made in applicant's response as included in Exhibit 2
12. Contamination/Hazardous Materials/Wastes: Corrections and clarifications made in applicant's response as included in Exhibit 2.
13. Fish, wildlife, plant communities and sensitive ecological resources (rare features): Corrections and clarifications made in applicant's response as included in Exhibit 2
15. Visual: Corrections and clarifications made in applicant's response as included in Exhibit 2
16. Air: Corrections and clarifications made in applicant's response as included in Exhibit 2, additionally air pollution should be reduced as more and more electric vehicles are placed into service.
17. Noise: The project is a phased project with four stages of development. The first phase is by far the largest and will make the largest impact as far as noise is concerned. Construction equipment shall be maintained in good working order and be equipped with mufflers. Additionally, construction activities shall be limited to 7 am to 6 pm Monday thru Friday and work should be limited on Saturdays to a half day if at all. Housing contractors shall be restricted to these time frames also until the dwelling are fully enclosed and insulated.
19. Cumulative potential impacts: Other projects are going on in the area under separate ownership. These projects are similar in that they are large lot suburban subdivisions. By keeping this type of development in the same area and requiring connectivity between said developments should provide for better traffic flow and reduce the amount of government investment by reducing the travel time between developments for road maintenance. Once connected the developments should also provide for better stormwater management in the area. Because of all this development happening at approximately the same time people moving into these neighborhoods should be made aware that development in the area is happening and may continue for quite some time.

20. Other potential environmental effects: The Olmsted County Land Use Plan is used as a guide to provide criteria as to where suburban development takes place in Olmsted County. The plan takes into consideration; the quality of ag land being removed from production, the travel time to work centers and the impacts on natural and historic landmarks. In this instance because of its distance to downtown Rochester and the Mayo Clinic, its low agricultural production scores and lack of animal agricultural investments, and historical significance, this area scores high for suburban development and has proven to be a very desirable place to live. This development and the neighboring development to the northwest include deed restrictions creating a wildlife corridor which will connect. The total footprint for this area is over 40 acres in size and creates an area where no building activities can take place and will allow wildlife a route to the Zumbro River.

### **Karen Kromar, Minnesota Pollution Control Agency**

#### **Permits and approvals (item 8)**

The applicant shall work closely with the Olmsted County Soil and Water Conservation District on wetland issues. The district handles wetland delineation and replacement issues within Olmsted County. Previous development required on site delineation of wetland areas in suburban subdivision including signage. Signage language is reviewed and approved by the district staff. This shall be a requirement of this development also.

A wetland delineation report has been submitted to the US Army Corp of Engineers and the Olmsted County Soil and Water Conservation District regarding the Wetland Conservation Act and a Corp of Engineers 404 permit.

#### **Water resources (item 11)**

A National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) will be required to be in place during all the phases of this development. The Township Engineer will oversee the permit and is a requirement of the grading/erosion control permit. We acknowledge that a Construction Stormwater Permit (CSW) is also required

The Zumbro Valley Water Shed District has provided a great deal of information on the South Fork of the Zumbro River, including its impaired status. Surface runoff from this development flows northeast to the South Fork of the Zumbro via intermittent streams and waterways. A Stormwater Pollution Prevention Plan (SWPPP) will be filed with MPCA and the township as part of the grading permit. The Township Engineer will review the SWPPP and comment on it during the permitting process and along with the building inspector will oversee adherence to the permit during the construction process.

We acknowledge that MPCA will need to review the SWPPP if the development results in the disturbance of 50 acres or more.

The plan avoids construction within the areas designated as wetlands, except the 6,000 square feet that will go through the replacement process, and the intermittent stream. Deed restrictions preventing construction are proposed for this area which will be designated as a wildlife/environmental corridor. One roadway crossing is proposed for the area and redundant erosion control measures will be required.

Prior to issuing the grading permit for phase 1 of the development the developer will be required to analyze the entire development to determine the number of acres that will be disturbed, and appropriate measures will be taken if the disturbed area exceeds 50 acres.

We acknowledge the BPM's to be used in areas of steep slopes as outlined in your comments.

Rochester Township operates under a MPCA MS4 Permit. The Rochester Township Engineer along with the Township Clerk, Township Maintenance Supervisor and TCPA staff work to maintain the MS-4 permit in good standing. The Township Engineer shall review the plans including the stormwater calculations to meet the standards created by MPCA for compliance.

#### Contamination/hazardous materials/waste (item 12)

The farm site has been demolished. According to the Minnesota Department of Agriculture's database there are no agricultural chemical spills or cleanup identified on this site. Construction crews will be instructed to be aware of any unusual materials which would indicate a dump site and if found shall report the site to the Olmsted County Solid Waste and work with them on a plan for removal.

#### Other potential environmental effects (item 20)

Wintertime use of chloride has become an issue in Minnesota affecting our water resources. Township maintenance staff have taken courses provided by the Minnesota Department of Transportation on reducing the use of road salt. A link to the PCA website provided dealing with salt will be posted to the Rochester Township website.

### **Jennifer Tworzynski, Minnesota Department of Administration, State Archaeologist**

#### Unplatted cemeteries

The area was a former "bull farm" where the site was either row cropped or pastured including the wooded areas. Unplatted cemeteries are unlikely but if found work will



cease and appropriate authorities notified. A Phase 1 Archeological will be completed by a qualified archaeologist.

**Samantha Bump, Minnesota Department of Natural Resources, National Heritage Review**

Ecologically significant areas

See applicant's response on National Heritage Review and MNDNR comments from 9-8-2022. We agree with comments provided in Exhibit 2 by the applicant and acknowledge the Minnesota Department of Natural Resources recommendations. A survey of native plants shall be conducted in the northwestern corner of the development. The general development plan is a concept plan which is adjusted after further engineering is completed. Since the northwestern corner is identified as a site of moderate biodiversity significance no preliminary plat for the development will be reviewed until a complete survey of this area of the site is completed and a plan is presented as to how this area will be developed including the items listed in your letter to Joe Tenley Correspondence # MCE 2022-00027.

In phase one of the development a road crossing of a stream is proposed. This Olmsted County Soil and Water Conservation staff is currently working with the developer on compliance and the associated permits.

State listed species

Prior to approval of any preliminary plat for the subdivision a qualified plant surveyor shall conduct a habitat assessment in the undisturbed streambanks and floodplain areas which are within the project area. If potential habitat for these species is documented those areas must be avoided, if they cannot be avoided, a botanical survey will be completed.

Because the Cerulean Warbler (*Setophaga cerulea*) and Bell's Vireo (*Vireo bellii*), state-listed bird species of special concern have been documented in the vicinity of the project, tree removal will not be allowed between May 15<sup>th</sup> and August 15.

Rochester Township has an MS4 permit from the Minnesota Pollution Control Agency (MPCA). Brandon Theobald of WHKS engineering provides guidance and has approval authority on stormwater and grading issues in order to keep the permit in good standing with MPCA. A grading and erosion control plan will need to be submitted and approved prior to any construction activities.

Federally protected species

The applicant has acknowledged the planning tool found on the Fish and Wildlife Service's website and has stated that they will use the tool for Phase 3 and 4 where

state mapping efforts have identified moderate biodiversity significance.

**Melissa Colins, Minnesota Department of Natural Resources, Ecological and Water Resources**

1. Permits and Approval. If dewatering activities take place during construction exceeding 10,000 gallons per day or one million gallons per year a DNR General Permit Approval shall be required.
2. Geology Because a large portion of Rochester Township lies within an area with karst features, Rochester Township has adopted sinkhole and Decorah shale regulations within its Subdivision and Zoning Ordinances. All subdivision are reviewed using the appropriate criteria and reports submitted prior to platting.
3. Groundwater. Any unsealed well found on the property shall be sealed according to Minnesota Department of Health regulations.
4. Stormwater. The proposed roadways within Royal Oaks development are being proposed as public roads. Rochester Township maintains an MS4 permit from MPCA. Rochester Township uses pretreatment whenever possible to reduce the amount of road salt it uses. The township is currently working on updating their website as part of the MS4 permitting process to include suggestions on reducing salt uses by homeowners.
5. Stormwater. Weed free native seed mixes will be required for the road ditches and stormwater features and recommended for all other landscaping.
6. Water appropriations. Water appropriations permits will be required if water usage for any single well exceeds 10,000 gallons per day or 10 million gallons per year. Well agreements may be created to prevent lawn watering and if so would alleviate the need for a permit.
7. Wetland. The actual wetland impact is anticipated to be approximately 6,000 square feet. A Wetland Sequencing and Replacement plan will be required to satisfy the Wetland Conservation Act.
8. Contamination/Hazardous Materials/Wates. Using the MPCA What's in My Neighborhood Database, no sites were identified that suggest the presence of hazardous waste. This site is an old farm site which may or may not contain a farm dumpsite. If one is found during construction, the developer will need to work with Olmsted County Solid Waste on cleanup.
9. & 10. Rare Features. A survey of native plants shall be conducted in the northwestern corner of the development. The general development plan is a concept plan

which is adjusted after further engineering is completed. Since the northwestern corner is identified as a site of moderate biodiversity significance no preliminary plat for the development will be reviewed until a complete survey of this area of the site is completed, and a plan is presented as to how this area will be developed protecting any native plants found, additionally, prior to approval of any preliminary plat for the subdivision a qualified plant surveyor shall conduct a habitat assessment in the undisturbed streambanks and floodplain areas which are within the project area. If potential habitat for these species is documented those areas must be avoided, if they cannot be avoided, a botanical survey will be completed.

11. Roadways will be paved with bituminous, thus no need to chloride to be used for dust control.

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#### Criteria for Determining Significant Environmental Effects:

In deciding whether a project has the potential for significant environmental effects, the Township must consider the following factors:

A. Type, extent and reversibility of environmental effects;

Land Uses: Olmsted County has designated the area for suburban development within its Land Use Plan. The next step in the process would be for Rochester Township to consider rezoning the property from A-2 Agricultural Protection District to R-1 Low Density Residential District which allows for lots two acres or greater in size. Similar developments are located within the area.

Erosion: Currently the land is woodland, former pasture and row cropped. The pasture has not been utilized in several years and is overgrown with invasive type trees, plants and brush such as boxelder, prickly ash, cow parsnip and buckthorn. Since conversion to a new use exceeds one acre a NPDES/CWS permit is required. Best Management Practices including silt fence, ditch checks and stabilized construction entrances will be required. The property contains wooded slopes of over 18 percent in which caution will be necessary to prevent soil movement during the construction of roads in those areas. The additional vegetation, when converting agricultural land large lot development, should reduce the amount of exposed soils annually.

Wastewater: ISTS systems will be designed to accommodate the number of bedrooms within each home as building construction permits are obtained. Because of the depth to bedrock most of the lots will be developed with pressurized mound septic systems. All systems will be installed and inspected using Minnesota Rules 7080 and the more restrictive Rochester Township ISTS Ordinance. Areas large enough for both a primary

and secondary septic site are delineated within the development prior to the beginning of construction. Those sites must be left undisturbed by the developer during construction.

**Wells:** Eight community wells are proposed in the development. The wells will be five party wells governed by community well agreements. Included in these agreements will be regulations which will not allow for lawn irrigation systems. The well located at the farm dwelling site will be sealed according to Minnesota Health Department standards.

**Stormwater:** The stormwater design and plans are created by the developer's engineer and then reviewed by the Township Engineer. The township relies on its professional staff to make sure the appropriate standards and regulations are met. In addition to stormwater management via infiltration on individual lots, drainage easements are located throughout the development to allow for stormwater management. A stormwater management plan has been developed and included as a deed restriction on lots within the development. If homeowners neglect to follow the plan, provisions are provided within the deed restrictions to allow the Town to come in and do the repair and assess the cost back to the homeowners.

Individual lot grading plans will be required prior to home construction. The Township Engineer shall review those plans to comply with the development agreement and the Township's MS4 Permit.

**Wildlife:** Two birds on the state listed birds of special concern; the Bell's Vireo and the Cerulean Warbler have been documented to be within the vicinity of this development. Tree and shrub removal will be avoided between May 15<sup>th</sup> and August 15<sup>th</sup> to avoid disturbing nests. Because of the row crop agricultural uses and surrounding residential uses most of the wildlife within the area is already accustomed to frequent disturbances and suburban conditions.

Rochester Township has a 180-acre site within the Mayo Woodlands development (North of this development) of preserved hardwood forest and the 40-acre parcel directly to the north belonging to the George Iron's Jr. Trust has been overlayed with a "Woodland Stewardship Conservation Plan", keeping wildlife abundant in the area.

**Plants:** Native plant communities which are on the endangered species list may exist in the area. A plant survey will need to be completed and a protection plan submitted prior to any preliminary plat accepted.

**Minnesota Biological Survey:** A portion of the site is shown as being identified as a Site of Moderate Biodiversity Significance. A survey of native plants shall be conducted in the northwestern corner of the development. The general development plan is a concept plan which is adjusted after further engineering is completed. Since the northwestern corner is identified as a site of moderate biodiversity significance no preliminary plat for the development will be reviewed until a complete survey of this area of the site is

completed and a plan is presented as to how this area will be developed including the items listed in the Minnesota Department of Natural Resources letter to Joe Tenley, Correspondence # MCE 2022-00027.

Noise: Construction noise levels may cause short periods of disturbances to the surrounding residents. Construction noise would be during normal working hours and should not extend into the weekends and evenings. Rochester Township does have a Noise Ordinance which will need to be complied with.

Road Improvements: The development proposal includes a public roadway system connecting to both the township system and the county system. Improvements to the systems will be a requirement when approving this development. The applicant has provided a traffic impact report as part of the EAW process. The township planning commission has requested additional information on impacts the development may have on township roadways. Connections to neighboring developments may require additional improvements to the township roadway system.

B. Cumulative potential effects of related or anticipated future projects;

The Township has several other developments which are in varying stages located near or adjacent to this development. The entire area is located within the Suburban Subdivision Area of the Olmsted County Land Use Plan and designated either "Current R-1 or RA" or "Approved Residential Development".

The environmental effects, including cumulative effects of urban and suburban development, are accurately described and complied with all provisions of the Olmsted County General Land Use Plan that defines City and Suburban growth limits. The environmental effects and cumulative effects are further protected by the administration and enforcement of the Rochester Township Zoning and Subdivision Ordinance and Development Agreements.

Rochester Township residents have expressed concerns about the amount of traffic increasing on Meadow Crossing Road SW and that the additional connections from these developments will add additional traffic to that roadway. Rochester Township adopted resolution 2018-09-01 (Exhibit 3) and 2020-05-01 (Exhibit 4) dealing with the additional traffic onto that system. The developer has not provided the information as required by resolution 2018-09-01.

C. The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority;

Following is a list of permits/actions that will need approval:

Rochester Township – General Development Plan and Zone Change

Rochester Township – Traffic Impacts via a traffic impact study  
Rochester Township – Preliminary Plat  
Rochester Township – Grading and Erosion Control Plan  
Rochester Township – Development Agreement  
Rochester Township – Final Plat

List of additional permits required prior to building construction:

MN Pollution Control Agency: NPDES Construction and Stormwater Permits (NPDES/CSW)  
Olmsted County Planning Commission – Environmental Review  
Olmsted County Board – Final Plat

The following permits may be required:

Department of Natural Resources: Water Appropriations Permit

Future development permits:

Olmsted County - Well Water Permits  
Rochester Township – Individual Lot Grading Plan Approval  
Rochester Township – Septic Permits  
Rochester Township – Building Permits

- D. The extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EIS's.

The project is subject to local, state, and federal requirements.

#### Findings:

The EAW process has proven to be a useful tool in establishing conditions of approval.

1. The anticipated environmental effects of this project are found to be the same as those experienced with any development. No significant environmental impacts are anticipated from the proposed development which would warrant the preparation of an environmental impact statement. Erosion control measures shall be incorporated during the development process including silt fencing, ditch checks and stormwater treatment. Reseeding of disturbed areas as soon as possible will be encouraged. Temporary stormwater management may be required during the construction process. No construction activity will be allowed within 600 feet of Cascade Creek.

2. Measures are incorporated into the permitting process to limit the amount of exposed soil. The applicant must submit an erosion control plan, which needs to be approved by the Olmsted County Soil and Water Conservation Service as required by the Township Zoning Ordinance and by the Township's Engineer as required by the development agreement. Erosion control measures must be used during the different development stages to protect water quality and prevent soil movement.
3. Rain gardens have been incorporated into the plan to allow for water infiltration and uptake. Individual lot grading plans reviewed and approved by the township engineer shall be required through the development agreement process. Deed restrictions will be utilized for stormwater management.
4. The County uses a Comprehensive Land Use Evaluation System (CLUES model) for which data on natural resources and other development criteria is collected. Olmsted County has designated the site as "Suburban Subdivision" on the Olmsted County Land Use Plan Map.
5. A traffic impact study will be required during the preliminary platting process to determine what impacts this development may have on them. Measures should be put in place to mitigate those impacts whenever possible.
21. If at any time human remains are encountered on the property, development should stop, and a burial site assessment should be completed. Additionally, if any historic items such as prehistoric bones or tools are uncovered, development should stop until further assessment is completed to determine the nature of the find.
22. Rochester Township finds that the potential impacts identified as part of the proposed project are addressed through the regulatory agencies permitting process.
23. Rochester Township finds that a permitting process is in place which the developer will be required to follow which will reduce and mitigate the environmental effects of the project. Many of these processes are in place to reduce the environmental impacts of such a development.

These findings may need to be amended as determined by the Board. The applicant's response is included with this report. The comment period has ended, and the Board is not required to take any additional comments but may if it so chooses.

#### Conclusion:

Comments received have provided information adequate to determine that appropriate mitigation measures can be incorporated into the project plans. This along with the required approvals and permits will be sufficient to mitigate the environmental issue pointed out within the EAW and reviews.

Rochester Township may have a roadway conflict that it will need to resolve for the development to move forward. Although a traffic impact report was submitted as part of the EAW, the traffic impact report according to ordinance was approved by Olmsted County. The township has asked for additional information and that information may not be available until after the board needs to make a determination on the EAW. Although a conflict exists it does not rise to the need to require an Environmental Impact Statement (EIS).

The developer has provided written comments which are included with this report. Staff supports most of the comments within the developer's comments except where noted in this report.

Based on the reviewer's comments, analysis and findings as listed above, staff recommends that the board adopt a negative declaration that the project does not have the potential for significant environmental effects to trigger the need for an EIS.



**Rochester Township  
Olmsted County, MN  
RESOLUTION R22-01-02A  
MILLIE MEADOW ESTATES THIRD GENERAL DEVELOPMENT PLAN**

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**WHEREAS**, an application for a General Development Plan (GDP) for 41.9 acres has been submitted by Gene Peters on behalf of GMB LLC. The property is currently zoned A-2 Agricultural Protection District and the requested zoning is R-1 Low Density Residential District and described as:

That part of the West Half of the Northwest Quarter of Section 29, Township 106 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of the Northwest Quarter of Section 29; thence on an assumed bearing of North 89°56'19" East, along the north line of said West Half of the Northwest Quarter, 566.00 feet to the east line of the West 566 feet thereof; thence continue North 89°56'19" East, along said north line, 388.42 feet; thence South 04°26'43" East 304.17 feet; thence South 01°03'44" East 303.42 feet; thence South 89°56'19" West 329.62 feet to the point of beginning; thence continuing South 89°56'19" West 589.34 feet to a line which is 66.00 feet easterly of, as measured at right angles to and parallel with, the west line of said West Half of the Northwest Quarter; thence North 00°07'36" East, along said parallel line, 375.95 feet to the south line of the North 230.71 feet of said West Half of the Northwest Quarter; thence South 89°56'19" West, along said south line, 66.00 feet to the southwest corner of said North 230.71 feet of said West Half of the Northwest Quarter; thence South 00°07'36" West, along the west line of said West Half of the Northwest Quarter, 2388.73 feet to the southwest corner of said West Half of the Northwest Quarter; thence North 89°58'51" East, along the south line of said West Half of the Northwest Quarter, 1087.03 feet; thence North 26°43'18" West 142.96 feet; thence North 13°26'24" West 317.78 feet; thence North 01°34'25" West 508.39 feet; thence North 04°28'46" West 215.40 feet; thence North 07°42'43" West 363.53 feet; thence North 36°06'07" West 139.56 feet; thence North 24°48'10" West 128.36 feet; thence North 15°33'13" West 273.92 feet to the point of beginning.

The above described parcel contains 41.90 acres, more or less, and is subject to any easements, covenants and restrictions of record.

**WHEREAS**, the applicants are asking the Rochester Town Board of the County of Olmsted, State of Minnesota, for a zone change per Article IV of the Rochester Township Zoning Ordinance; and,

**WHEREAS**, the Rochester Township Zoning Ordinance requires that a general development plan be submitted and approved when considering a zone change. The Zoning Administrator reviewed said request and submitted a report to the Rochester Township Planning Commission concerning the general development plan and zone change; and,

**WHEREAS**, a public hearing on the proposed general development plan and zone change was duly noticed and held by the Rochester Township Planning Commission at the Rochester Township Hall, 4111 11<sup>th</sup> Avenue SW, Rochester, MN on August 10, 2022. Public input was taken, discussion held and suggestions were made by the board on the proposed request. The request was continued until the regular meeting of the Planning Commission held on September 20, 2022.

**WHEREAS**, the applicant provided an updated plan and staff provided an updated report at the September 20, 2022 meeting. Rochester Township Planning Commission held a discussion and allowed public input on said matter, reviewed staff findings and recommended approval to the Town Board with 3 yes votes and 0 no votes and 0 abstentions; and

**WHEREAS**, the request was placed on the Town Board agenda at their regular scheduled Town Board Meeting on October 13, 2022.

**NOW, THEREFORE, BE IT RESOLVED AND HEREBY ORDAINED** by the Rochester Town Board as follows:

General Development Plan criteria in regular type, staff findings in italic:

1. The proposed land uses are in accord with the Rochester Township Land Use Plan and Zoning Map.

*The land use is consistent with residential uses and would be considered consistent with the Olmsted County and Rochester Township Land Use Plans once the County has completed the land use plan amendment to change the designation from "Potential Suburban" to "Suburban" on the land use plan map.*

*Thus, this criterion is met.*

2. The street pattern is appropriate to serve the properties under consideration and future development of adjoining properties.

*The proposed street pattern uses both public and private roadways. Since they are using private roadways, and the Olmsted County Subdivision Ordinances does not provide for them, a variance to the standard must be granted during the preliminary platting process.*

*The plan indicates lots all to be over 2 acres in size. In this instance the applicant is requesting R-1 Low Density Residential District zoning which requires lots to be at least 2 acres in size.*

*The setbacks to the street remain the same for both public and private roadways.*

*This criterion would be met if a variance were granted during the preliminary platting process. If a variance is not granted the applicant will need to make the street a public street which may require additional right of way to grade the public roadway. This could reduce the number of lots but would not increase that number.*

3. The proposal make provision for planned capital improvements and streets based on the Olmsted County Capital Improvement Plan

*According to Olmsted County Planning as stated in their staff report on the GDP, "no additional improvements are required in conjunction with this request."*

*This criterion is met.*

4. The proposal makes adequate provision for surface water drainage, soil erosion control, water supply and sewage treatment consistent with State Statue and Rule and Township Ordinance.

*A grading plan and grading permit is required and will be reviewed by the Township Engineer which includes surface water drainage and soil erosion controls. The Township Septic Inspector shall review the septic systems and Olmsted County Public Health will review the water supply.*

*This criterion is met.*

5. The lot, block and street layout are consistent with general development and resource management policy.

*The street layout provides access to all lots either via a public or private roadway. Because of the slopes involved within this development the proposer has chosen to utilize the private roadway standards within the ordinance. These standards are trumped by the Rochester Fire Department comments and will need to meet the fire department standards.*

*As indicated on the plan the building sites on each lot are outside of the feedlot setback buffer for the feedlot located on the Dee property located to the east. The developer will need to disclose this to each individual buyer to make sure they do not build within the buffer area.*

*These criteria can be met if the applicant utilizes the fire department standards during the preliminary platting process.*

6. The lot, block and street layout are consistent with the subdivision design principals as defined in other sections of this ordinance.

*This subdivision may require a variance to the length of the dead-end private roadway. The plan includes access to the neighboring parcels. The Commission will need to determine if the granting of the variance outweighs the best utilization of the developable land. Would a looped road system better serve the property, or would it increase the amount of undevelopable land? Because of connection regulations to 40<sup>th</sup> St. SW a through road may not be allowed.*

*This criterion would be met if a variance were granted during the preliminary plat or if in fact the roadway does not exceed 1500 feet.*

7. The unique natural resources and sensitive areas are protected through open space provisions and appropriate lot layout.

*The applicant is providing open space as "Outlot A" totaling .66 acres which exceeds the size of the open space required by the township ordinance (.63 acres). The area is of buildable quality.*

*The driveways and the private roadways are in areas which contain steep slopes. The developer's updated narrative indicated that the driveways and private roadway will meet the township's standards.*

*This criterion is met for a concept plan*

8. Development will occur in an orderly fashion.

*Proposed as the third phase of a past development and provides connects for future phases.*

*Criterion is met*

9. Connecting roads are adequate to handle projected traffic, or provisions have been made to correct deficiencies.

*All connecting roads are local township roads. This phase is connected to the second phase in turn which is connected to the first phase. The first phase has connections to 55<sup>th</sup> Ave SW and 40<sup>th</sup> Street SW.*

*This criterion is met.*

Conclusion:

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve the general development plan with staff findings and planning commission recommendation. Motion carried with \_\_\_\_ yes votes and \_\_\_\_no votes and \_\_\_\_abstentions.

Passed and adopted by the Rochester Township Board this 13<sup>th</sup> day of October 2022.

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Jeff Orth, Chair

Attest:

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Randy Staver, Clerk

Distribution:  
County Planning  
County Assessor  
County Law Library  
Township Clerk  
Zoning Administrator  
Applicant  
Property Owner

Drafted by and return to:  
TCPA  
4111 11<sup>th</sup> Ave SW, Room 10  
Rochester, MN 55902

**Rochester Township  
Olmsted County, MN  
RESOLUTION R22-01-02B  
MILLIE MEADOW ESTATES THIRD ZONE CHANGE**

---

**WHEREAS**, an application for a General Development Plan (GDP) and a Zone Change for 41.9 acres has been submitted by Gene Peters on behalf of GMB LLC. The property is currently zoned A-2 Agricultural Protection District and the requested zoning is R-1 Low Density Residential District and described as:

That part of the West Half of the Northwest Quarter of Section 29, Township 106 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of the Northwest Quarter of Section 29; thence on an assumed bearing of North 89°56'19" East, along the north line of said West Half of the Northwest Quarter, 566.00 feet to the east line of the West 566 feet thereof; thence continue North 89°56'19" East, along said north line, 388.42 feet; thence South 04°26'43" East 304.17 feet; thence South 01°03'44" East 303.42 feet; thence South 89°56'19" West 329.62 feet to the point of beginning; thence continuing South 89°56'19" West 589.34 feet to a line which is 66.00 feet easterly of, as measured at right angles to and parallel with, the west line of said West Half of the Northwest Quarter; thence North 00°07'36" East, along said parallel line, 375.95 feet to the south line of the North 230.71 feet of said West Half of the Northwest Quarter; thence South 89°56'19" West, along said south line, 66.00 feet to the southwest corner of said North 230.71 feet of said West Half of the Northwest Quarter; thence South 00°07'36" West, along the west line of said West Half of the Northwest Quarter, 2388.73 feet to the southwest corner of said West Half of the Northwest Quarter; thence North 89°58'51" East, along the south line of said West Half of the Northwest Quarter, 1087.03 feet; thence North 26°43'18" West 142.96 feet; thence North 13°26'24" West 317.78 feet; thence North 01°34'25" West 508.39 feet; thence North 04°28'46" West 215.40 feet; thence North 07°42'43" West 363.53 feet; thence North 36°06'07" West 139.56 feet; thence North 24°48'10" West 128.36 feet; thence North 15°33'13" West 273.92 feet to the point of beginning.

The above-described parcel contains 41.90 acres, more or less, and is subject to any easements, covenants and restrictions of record.

**WHEREAS**, the applicants are asking the Rochester Town Board of the County of Olmsted, State of Minnesota, for a zone change per Article IV of the Rochester Township Zoning Ordinance; and,

**WHEREAS**, the Zoning Administrator reviewed said request and submitted a report to the Rochester Township Planning Commission concerning the general development plan and zone change; and,

**WHEREAS**, a public hearing on the proposed zone change was duly noticed and held by the Rochester Township Planning Commission at the Rochester Township Hall, 4111 11<sup>th</sup> Avenue SW, Rochester, MN on August 10, 2022. Public input was taken, discussion held and suggestions

were made by the board on the proposed request. The request was continued until the regular meeting of the Planning Commission held on September 20, 2022.

**WHEREAS**, the applicant provided an updated plan and staff provided an updated report at the September 20, 2022 meeting. Rochester Township Planning Commission held a discussion and allowed public input on said matter, reviewed staff findings and recommended approval to the Town Board with 3 yes votes and 0 no votes and 0 abstentions; and

**WHEREAS**, the development does not meet the thresholds which would require a traffic impact report, and

**WHEREAS**, the request was placed on the Town Board agenda at their regular scheduled Town Board Meeting on October 13, 2022.

**NOW, THEREFORE, BE IT RESOLVED AND HEREBY ORDAINED** by the Rochester Town Board as follows:

Findings:

Section 4.00 H Amendment Findings (ordinance is in regular text, staff finding in italics)

1. The proposal is consistent with the policies of the General Land Use Plan;

*The area is located within the "Potential Suburban" area of the Olmsted County Land Use Plan and within the "Approved Residential Development" area of the Rochester Township Land Use Plan. Currently an application is being considered by Olmsted County to have the designation changed on the County Plan from "Potential Suburban" to "Suburban". Any consideration of rezoning the property should be contingent upon County approval of this request.*

*Once approved, rezoning would be consistent with both plans.*

2. The amendment is in the public interest;

*Other suburban subdivisions are located within the area. The Heritage Hills First and Second subdivisions are on the north side of 40<sup>th</sup> Street SW. Additional Millie Meadow Estates Subdivision and Millie Meadow Estates Second are located directly to the west. Access to this property will be through those subdivisions. The northern third of the parcel contained in the rezoning request is partly wooded and contains steep slopes which have not been row cropped for some time if ever. The rest of the parcel is currently row cropped and has Crop Equivalent Ratings from 30 to 90. Only approximately 2 acres contain subprime farm soils.*

*Improvements were made to 40<sup>th</sup> Street SW in the form of a right turn lane and bypass lane during the first phase of this development. Continued development in an area where suburban subdivisions already exist, to provide for that type of lifestyle choice, would seem to be in the public interest.*

3. The proposed development is timely based on surrounding land uses, proximity to development and the availability and adequacy of infrastructure;

*Suburban subdivision development continues to be in demand so continued growth near other suburban subdivisions would seem timely. No additional public roadway infrastructure improvements will be required for this development other than that within the development.*

4. The proposal permits land uses within the proposed district that are appropriate on the property and compatible with adjacent uses and the neighborhood.

*Adjoining properties to the west are zoned residential. No intensive agricultural uses are located within the area other than a small feedlot which has been taken into consideration within the general development plan. Some of the area, which is proposed to be subdivided into residential lots, has been recently row cropped. However, because of the proximity to work centers development would seem to be a higher use for the property.*

5. The proposal does not result in spot zoning;

*Adjoining lands to the west and northwest are currently zoned R-1 Low Density Residential District. Since adjoining lands are zoned the same it would not be considered spot zoning.*

6. The proposal is consistent with a GDP for the area, if one exists.

*The proposal is consistent with the approved general development plan.*

Conclusion:

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve zone change request with staff findings and planning commission recommendation. Motion carried with \_\_\_\_ yes votes and \_\_\_\_no votes and \_\_\_\_abstentions.



Section 1.16 of the Rochester Township Zoning Ordinance and the Rochester Township Zoning Maps are hereby amended, designating the above described 41.9 acres of property to R-1 Low Density Residential District.

Passed and adopted by the Rochester Township Board this 13<sup>th</sup> day of October 2022.

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Jeff Orth, Chair

Attest:

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Randy Staver, Clerk

Distribution:  
County Planning  
County Assessor  
County Law Library  
Township Clerk  
Zoning Administrator  
Applicant  
Property Owner

Drafted by and return to:  
TCPA  
4111 11<sup>th</sup> Ave SW, Room 10  
Rochester, MN 55902

**Rochester Township**  
**Olmsted County, MN**  
**RESOLUTION 2022\_10\_01**

**ACCEPTING DEDICATION OF LAND FOR A TOWN ROAD**

---

**WHEREAS**, the town board of Rochester Township (the Township), Olmsted, County, Minnesota was presented an application by the following named owners of the following described property under Minn. Stat. § 164.15, subd. 1, dedicating a portion of their land to the Township for public road purposes;

Owners	Description of Property
GMB, LLC.	Lots 23, 24, 29, Block 1, MILLIE MEADOW ESTATES SECOND, according to the recorded plat thereof on file and of record at the office of the County Recorder, Olmsted County, Minnesota.

**WHEREAS**, the land dedicated for a public road proposed in the application is described as:

The North 33.00 feet of Lot 23, Block 1, MILLIE MEADOW ESTATES SECOND, according to the recorded plat thereof on file and of record in the office of the County Recorder, Olmsted County, Minnesota.

AND

The South 33.00 feet of Lot 24, Block 1, MILLIE MEADOW ESTATES SECOND, according to the recorded plat thereof on file and of record in the office of the County Recorder, Olmsted County, Minnesota.

AND

The South 66.00 feet of Lot 29, Block 1, MILLIE MEADOW ESTATES SECOND, according to the recorded plat thereof on file and of record in the office of the County Recorder, Olmsted County, Minnesota.

**WHEREAS**, the town board has reviewed the application and found the dedication to be consistent with the public interest;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does, upon completion of the following described conditions (if any) to the satisfaction of the town board, hereby accepts the dedication of the above-described land for a public road and declares same a town road.

Conditions for acceptance:

1. Road subgrade and drainage ditches were constructed in anticipation of future roadway surfacing and development to the east, at the time of development of Millie Meadow Estates Second. All street surfacing and utilities within land dedicated for public roadway in this resolution shall be paid for by the abutting land owner/developer to the east at the time of township approval of the development.
2. Public Right of Way and Utility Easement recorded as Doc A-1544138, on file with the Olmsted County Recorder, shall be vacated as a condition of this resolution.

Adopted this 13<sup>th</sup> day of October, 2022.

Signed by:

Attested to by:

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Chairman

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Clerk

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STATE OF MINNESOTA  
COUNTY OF OLMSTED

I, Randy Staver, clerk of Rochester Township,  
Olmsted County, Minnesota, hereby certify that I have compared the  
foregoing copy of the resolution of the Town Board of said Township with the original  
record thereof on file with the town clerk, as stated in the minutes of the proceedings  
of said Board at a public meeting held on the \_\_\_\_\_ day of \_\_\_\_\_  
, 20\_\_\_\_, and that the same is a true and correct copy of said original record and of the  
whole thereof, and that said resolution was duly passed by said Board at said hearing.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Town Clerk

Randy Staver  
\_\_\_\_\_  
Printed Name

Rochester  
\_\_\_\_\_  
Township



Public Works  
2122 Campus Drive SE—Suite 200  
Rochester, MN 55904  
Phone: 507-328-7070  
E-mail: [pwservice@olmstedcounty.gov](mailto:pwservice@olmstedcounty.gov)

DATE: September 27, 2022  
TO: Township Chairperson  
FROM: Ben Johnson  
Public Works Director/County Engineer  
SUBJECT: 2022 Township Road Mileage Certification

In order to allocate the Town Road Account monies in 2023, certification of the 2022 township road mileage in your township will be necessary. Please certify and submit this form to the Olmsted County Public Works office by **November 15<sup>th</sup>** to secure your funding. Remember, only roads that have been maintained and open to the traveling public at least eight months of the year are eligible.

Please take the time to review your mileage and address any questions in the change column or add any new, revoked or closed roads are reflected in this year's certification. Please contact Jeff Busch with any questions at 507-328-7028

***Please complete this form by either:***

DocuSign

or

Mail to:  
Olmsted County Public Works  
Attn: Jeff Busch  
2122 Campus Dr SE, Suite 200  
Rochester, MN 55904

or e-mail to [pwservice@olmstedcounty.gov](mailto:pwservice@olmstedcounty.gov).

I hereby certify that the mileages listed for the township of \_\_\_\_\_ in the County of Olmsted is mileage that has been maintained and open to the traveling public at least eight months of the year 2022:

TOWNSHIP

\_\_\_\_\_

Total Township Mileage (mi.) \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Township Chairperson

12/14/2021

**ROCHESTER TOWNSHIP**

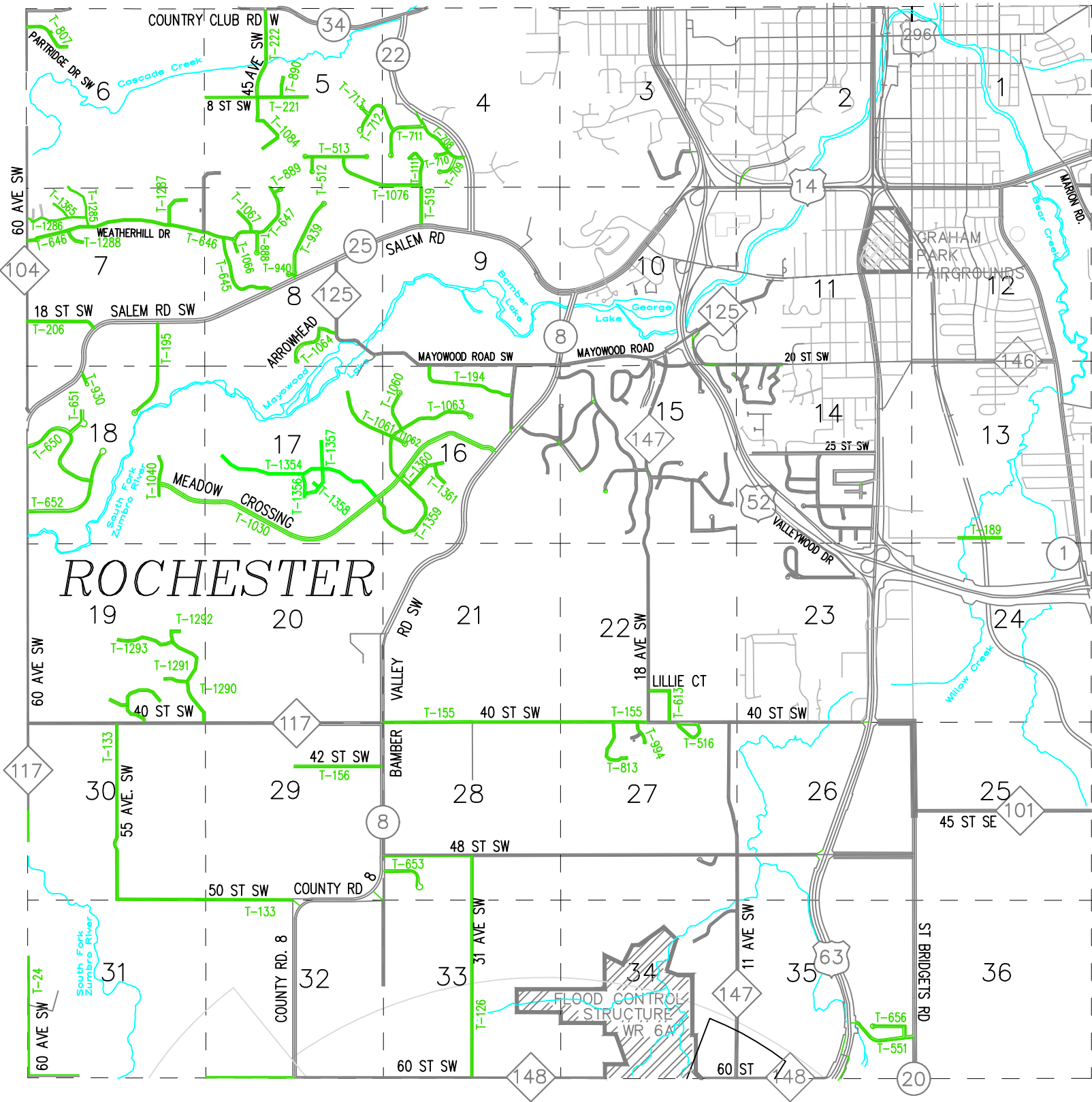
<b><u>TWP. NO.</u></b>	<b><u>T- #</u></b>	<b><u>Section #</u></b>	<b><u>AVE. / ST.</u></b>	<b><u>MILES</u></b>	<b><u>CHANGES?</u></b>
015	T-24	30, 31	60 Ave. SW	0.80	
015	T-126	28, 33	31 Ave. SW	1.25	
015	T-133	29, 30	50 St. & 55 Ave. SW	2.04	
015	T-155	21, 22	40 St. SW	1.50	
015	T-156	29	42 St. SW	0.51	
015	T-194	16	Mayowood Hills Dr. SW	0.57	
015	T-195	7, 18	Old Valley Rd. SW	0.53	
015	T-206	7	18 St. SW	0.39	
015	T-221	5	8 St. SW	0.53	
015	T-222	5	45 Ave. SW	0.64	
015	T-512	5	Oakland Ct. SW	0.08	
015	T-513	5	Meadow Ridge Dr. SW	0.36	
015	T-516	27	Windsor Chase Dr. SW	0.25	
015	T-519	4, 9	34 Ave. SW	0.24	
015	T-551	35	Quarve Rd. SE	0.38	
015	T-613	22	Lillie Ct. SW	0.29	
015	T-645	8	Weather Hill Rd. SW	0.46	
015	T-646	7, 8	Weather Hill Dr. SW	1.14	
015	T-647	8	E. Weather Hill Dr. SW	0.42	
015	T-650	18	Glencroft Ln. SW	0.64	
015	T-651	18	Stenbrea Ct. SW	0.16	
015	T-652	18	Heather Dr. SW	0.69	
015	T-653	28	Vista View Ct. SW	0.28	
015	T-656	35	Conway Ct. SE	0.23	
015	T-708	4	Historic Dr. SW	0.39	
015	T-709	4	Hill Ct. SW	0.14	
015	T-710	4	Country View Ct. SW	0.08	
015	T-711	4	Greenbriar Rd. SW	0.33	
015	T-712	4, 5	Paxton Rd. SW	0.37	
015	T-713	5	Courtney Ct. SW	0.07	
015	T-807	6	Partridge Dr. SW	0.21	
015	T-813	27	Windsor Hills Ln. SW	0.20	
015	T-888	8	Weather Hill Ridge Ct.	0.13	
015	T-889	8	Oak Ct. SW	0.10	
015	T-890	5	44 Ave. Ct. SW	0.12	
015	T-930	18	Salem Rd. Ct. SW	0.19	
015	T-939	8	Westhill Dr. SW	0.48	
015	T-940	8	Valley Ct. SW	0.04	
015	T-994	27	Windsor Ln. SW	0.14	
015	T-1030	16, 18	Meadow Crossing Rd. SW	2.17	
015	T-1060	16	Hardwood Ct. SW	0.23	
015	T-1061	17	Transit Ct. SW	0.26	
015	T-1040	18	Meadow Crossing Rd. SW	0.53	
015	T-1062	16	Transit Ct. SW	0.09	



12/14/2021

## ROCHESTER TOWNSHIP

<u>TWP. NO.</u>	<u>T- #</u>	<u>Section #</u>	<u>AVE. / ST.</u>	<u>MILES</u>	<u>CHANGES?</u>
015	T-1063	16	Wright Rd. SW	0.72	
015	T-1064	8	Arrowhead Ln. SW	0.36	
015	T-1066	8	Weatherhill Ct. SW	0.13	
015	T-1067	8	Meadowlark Ct. SW	0.19	
015	T-1076	4, 5	Valley View Rd. SW	0.51	
015	T-1084	5	Ettenmoor Ln. SW	0.28	
015	T-1285	7	Boulder Creek Ln. SW	0.30	
015	T-1286	7	Boulder Creek Dr. SW	0.41	
015	T-1287	7	Weatherhill Ln SW	0.24	
015	T-1288	7	Seasons Ln. SW	0.16	
015	T-1290	19, 20	Heritage Dr. SW	0.51	
015	T-1292	20	Tara Ln. SW	0.08	
015	T-1293	19, 20	Heritage Ln. SW	0.30	
015	T-1291	19	Milly Ln. SW	0.10	
015	T-1354	17	Mayo Woodlands Rd. SW	0.85	
015	T-1356	17	Glenwood Rd. SW	0.13	
015	T-1357	17	Galena Pl. SW	0.21	
015	T-1358	17	Glenwood Ln. SW	0.17	
015	T-1359	16, 17	Headland Ct. SW	0.53	
015	T-1360	16	Hawkhill Ln. SW	0.29	
015	T-1361	16	Wild Rose Ln. SW	0.11	
015	T-1365	7	Creek Ln. SW	0.08	
015	T-	19	Creekside Ln SW	0.11	
015	T-	19	Creekview Ln SW	0.32	
015	T-	7	Hamlet Rd SW	0.27	New 2018
015	T-	7	Cherry Woods Ln SW	0.10	New 2018
015	T-	7	Trident Ln SW	0.32	New 2018
015	T-	16	Alderock Ln SW	0.15	New 2022
015	T-	30	Millie Rd SW	0.64	New 2022
015	T-	30	Millie Meadow Dr SW	0.39	New 2022
015	T-	30	Maggie May Ln SW		
015	T-	30	Millie Meadow Ln SW		
<b>Total</b>				<b>29.61</b>	



**Rochester Township**

**Olmsted County, MN**

**RESOLUTION 2022\_10\_02**

**TO SPEND ARPA FUNDS ON LOST REVENUE REPLACEMENT CATEGORY**

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**WHEREAS**, the American Rescue Plan Act, H.R. 1319 (ARPA) was signed into law by President Biden in March of 2021,

**WHEREAS**, ARPA modifies provisions of Title VI of the Social Security Act (42 U.S.C. § 801 et seq.),

**WHEREAS**, 42 U.S.C. § 803 (b)(2) appropriates \$19,530,000,000 to nonentitlement units of government (NEUs) to mitigate the fiscal effects stemming from the public health emergency with respect to COVID-19,

**WHEREAS**, the appropriations under 42 U.S.C. § 803 (b)(2) are titled State and Local Fiscal Recovery Funds (SLFRF),

**WHEREAS**, A nonentitlement unit of government is defined as "... a 'city', as that term is defined in section 102(a)(5) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(5))), that is not a metropolitan city." 42 U.S.C. 5302(a)(5) defines a city as: "... any unit of general local government which is classified as a municipality by the United States Bureau of the Census ... ", which covers all townships in Minnesota,

**WHEREAS**, Rochester Township (the Town) is a nonentitlement unit of government and has received its portion of the SLFRF,

**WHEREAS**, 42 U.S.C. § 803 (c) permits NEUs to spend ARPA funds under one of four major categories, which include (A) responses to the COVID-19 Pandemic and its negative economic impacts, (B) providing premium pay to essential employees, (C) for government services to the extent of the reduction in revenue, and (D) investments in water, sewer, and broadband,

**WHEREAS**, 86 Fed. Reg. 26,801 (May 17, 2021) indicates that any amount attributable under lost revenue replacement can be used towards government services, but cannot be used as debt service or to create or replenish savings (rainy-day fund),

**WHEREAS**, in January of 2022 the Department of Treasury (Treasury) released the completed Interim Final Rule titled SLFRF Final Rule (Final Rule), establishing the completed guidance for the SLFRF,

**WHEREAS**, page 240 of the Final Rule indicates that the Treasury allows lost revenue replacement to be calculated through a formula as provided by the Treasury, or by a \$10,000,000 "standard allowance,"

**WHEREAS**, the Town will use \$207,964.10 as allotted to them by the standard allowance,

**WHEREAS**, the Town seeks to pay for government services with funds out of lost revenue replacement,

**WHEREAS**, the provisions of government services is a permitted expenditure category by the United States Department of Treasury in its Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds,

**Now THEREFORE BE IT RESOLVED**, that The Town will use ARPA funds to pay for the provision of government services in 2022 as part of lost revenue replacement,

**BE IT FINALLY RESOLVED**, that the provision of government services for 2022 is project #2022-001.

Adopted this 13<sup>th</sup> day of October, 2022.

Signed by:

Attested to by:

---

Town Board Chair

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Town Clerk

October 2022  
Treasurer's Report

Period: 09/01/2022 - 09/30/2022

Checking

**Accounts:**

<b>Opening Balance</b>	<b>#1306</b>	<b>\$ 1,520,402.47</b>
<b>Opening Balance</b>	<b>#3794</b>	<b>\$ 468,109.33</b>
<b>Opening Balance</b>	<b>#4917</b>	<b>\$ 1,668.28</b>
<b>Checks</b>		<b>\$ (219,127.39)</b>
<b>Deposits (incl. interest)</b>		<b>\$ 4,547.06</b>
<b>Closing Balance</b>		<b>\$ 1,775,599.75</b>
- Reserve (1/2 of Est. Bud).	#3794	\$ (500,000.00)
- Designated ARPA funds	#1306	\$ (197,839.50)
- Designated Griffin road project	#1306	\$ (710,159.69)
<b>Available to Spend</b>		<b>\$ 367,600.56</b>

Deposits

Interest Earned	0.30%	\$ 350.07
Interest Earned	0.30%	\$ 115.42
Interest Earned	0.30%	\$ 0.44
Cafeteria plan		\$ 208.33
TCPA		\$ 500.00
DeCook Excavating		\$ 2,171.90
Maplewood Homes		\$ 1,200.90
TBD		\$ -
TBD		\$ -
TBD		\$ -
TBD		\$ -
TBD		\$ -
TBD		\$ -
<b>Total</b>		<b>\$ 4,547.06</b>

**PROJECT**

- West Hill Road SW - Bill for road care annually - 2022 invoices have been mailed. \$ 5,200.00
- Total ARPA funds received is \$207,964.10.
- The first half of tax levy receipts totaled \$637,879.



# Premier Bank Rochester

421 First Avenue SW • Rochester, MN 55902

Account Number	XXXXXX1306
Statement Date	09/30/2022
Statement Thru Date	10/02/2022
Check/Items Enclosed	41
Page	1

Return Service Requested

00002123 TP5492DD100122101956 01 000000000 0000000 007

ROCHESTER TOWNSHIP  
4111 11TH AVE SW  
ROCHESTER MN 55902-1508

## IMPORTANT MESSAGE(S)

Thank you for banking with Premier Bank Rochester,  
We appreciate your business.

## NON PROFIT INTEREST

Account Number: XXXXXX1306

Account Owner(s): ROCHESTER TOWNSHIP

### Balance Summary

<b>Beginning Balance as of 09/01/2022</b>	<b>\$1,520,402.47</b>
+ Deposits and Credits (3)	\$4,222.87
- Withdrawals and Debits (45)	\$219,127.39
<b>Ending Balance as of 09/30/2022</b>	<b>\$1,305,497.95</b>
Service Charges for Period	\$0.00
Average Collected for Period	\$1,419,727.00
Minimum Balance for Period	\$1,305,147.00

### Earnings Summary

Interest for Period Ending 09/30/2022	\$350.07
Interest Paid Year to Date	\$1,551.99
Annual Percentage Yield Earned (APYE)	0.30%
Average Balance for APYE	\$1,419,727.15
Number of Days for APYE	30

### Miscellaneous Credits

Date	Description	Deposits
Sep 13	DEPOSIT	3,372.80
Sep 21	DEPOSIT	500.00
Sep 30	INTEREST EARNED	350.07

### Miscellaneous Debits

Date	Description	Withdrawals
Sep 08	STATE OF MINN/PAYMENTS 706083805642 ROCHESTER TOWNSH	777.00
Sep 09	MN PERA/PERA TXP*XXXXX717600*08312022****\SOMPER000667739 USERPERA	736.93
Sep 09	IRS/USATAXPYMT *****5223216562 ROCHESTER TOWNSHIP	789.94
Sep 09	ROCHESTER TOWNSH/RT PAYROLL ROCHESTER TOWNSHIP	5,363.98
Sep 12	MN DEPT OF REVEN/MN REV PAY 000000098997375 OLMSTED COUNTY	41.15
Sep 30	ACH FEES ROCHESTER TOWNSHIP	15.00





**Premier  
Bank  
Rochester**

421 First Avenue SW • Rochester, MN 55902

Account Number	XXXXXX3794
Statement Date	09/30/2022
Statement Thru Date	10/02/2022
Check/Items Enclosed	0
Page	1

Return Service Requested

00002122 TP5492DD100122101956 01 000000000 0000000 002

ROCHESTER TOWNSHIP  
4111 11TH AVE SW  
ROCHESTER MN 55902-1508

## IMPORTANT MESSAGE(S)

Thank you for banking with Premier Bank Rochester,  
We appreciate your business.

## NON PROFIT INTEREST

Account Number: XXXXXX3794

Account Owner(s): ROCHESTER TOWNSHIP

### Balance Summary

<b>Beginning Balance as of 09/01/2022</b>	<b>\$468,109.33</b>
+ Deposits and Credits (1)	\$115.42
- Withdrawals and Debits (0)	\$0.00
<b>Ending Balance as of 09/30/2022</b>	<b>\$468,224.75</b>
Service Charges for Period	\$0.00
Average Collected for Period	\$468,109.00
Minimum Balance for Period	\$468,109.00

### Earnings Summary

Interest for Period Ending 09/30/2022	\$115.42
Interest Paid Year to Date	\$801.62
Annual Percentage Yield Earned (APYE)	0.30%
Average Balance for APYE	\$468,109.33
Number of Days for APYE	30

### Miscellaneous Credits

Date	Description	Deposits
Sep 30	INTEREST EARNED	115.42

### Daily Balance Summary

Date	Balance
Sep 30	468,224.75



**Premier  
Bank  
Rochester**

421 First Avenue SW • Rochester, MN 55902

Account Number	XXXXXX4917
Statement Date	09/30/2022
Statement Thru Date	10/02/2022
Check/Items Enclosed	1
Page	1

Return Service Requested

00002120 TP5492DD100122101956 01 000000000 0000000 003

ROCHESTER TOWNSHIP  
CAFETERIA ACCOUNT  
4111 11TH AVE SW  
ROCHESTER MN 55902-1508

## IMPORTANT MESSAGE(S)

Thank you for banking with Premier Bank Rochester,  
We appreciate your business.

## NON PROFIT INTEREST

Account Number: XXXXXX4917

Account Owner(s): ROCHESTER TOWNSHIP

### Balance Summary

<b>Beginning Balance as of 09/01/2022</b>	<b>\$1,668.28</b>
+ Deposits and Credits (2)	\$208.77
- Withdrawals and Debits (0)	\$0.00
<b>Ending Balance as of 09/30/2022</b>	<b>\$1,877.05</b>
Service Charges for Period	\$0.00
Average Collected for Period	\$1,793.00
Minimum Balance for Period	\$1,668.00

### Earnings Summary

Interest for Period Ending 09/30/2022	\$0.44
Interest Paid Year to Date	\$2.08
Annual Percentage Yield Earned (APYE)	0.30%
Average Balance for APYE	\$1,793.27
Number of Days for APYE	30

### Miscellaneous Credits

Date	Description	Deposits
Sep 13	DEPOSIT	208.33
Sep 30	INTEREST EARNED	0.44

### Daily Balance Summary

Date	Balance	Date	Balance
Sep 13	1,876.61	Sep 30	1,877.05



**Premier  
Bank  
Rochester**

421 First Avenue SW • Rochester, MN 55902

Account Number	XXXXXX7568
Statement Date	09/30/2022
Statement Thru Date	10/02/2022
Check/Items Enclosed	0
Page	1

Return Service Requested

00000203 TP5492SV100122101123 01 100000000 0000000 002

ROCHESTER TOWNSHIP  
4111 11TH AVE SW  
ROCHESTER MN 55902-1508

## IMPORTANT MESSAGE(S)

Thank you for banking with Premier Bank Rochester,  
We appreciate your business.

## SAVINGS NON PERSONAL

Account Number: XXXXXX7568

Account Owner(s): ROCHESTER TOWNSHIP

### Balance Summary

<b>Beginning Balance as of 07/01/2022</b>	<b>\$22,413.96</b>
+ Deposits and Credits (1)	\$0.51
- Withdrawals and Debits (1)	\$2,928.60
<b>Ending Balance as of 09/30/2022</b>	<b>\$19,485.87</b>
Service Charges for Period	\$0.00
Average Collected for Period	\$19,676.00
Minimum Balance for Period	\$19,485.00

### Earnings Summary

Interest for Period	\$0.51
Interest Paid Year to Date	\$1.62
Annual Percentage Yield Earned (APYE)	0.01%
Average Balance for APYE	\$19,676.35
Number of Days for APYE	92

### Miscellaneous Credits

Date	Description	Deposits
Sep 30	INTEREST EARNED	0.51

### Miscellaneous Debits

Date	Description	Withdrawals
Jul 07	ESCROW FUND TRANSFER	2,928.60

### Daily Balance Summary

Date	Balance	Date	Balance
Jul 07	19,485.36	Sep 30	19,485.87

For the Period : 9/1/2022 To 9/30/2022

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursed</u>	<u>Ending Balance</u>	<u>Less Deposits In Transit</u>	<u>Plus Outstanding Checks</u>	<u>Total Per Bank Statement</u>
General Fund	\$1,058,376.00	\$965.49	\$40,748.23	\$1,018,593.26	\$0.00	\$3,854.21	\$1,022,447.47
Road and Bridge	\$532,524.52	\$3,372.80	\$179,188.24	\$356,709.08	\$0.00	\$196.00	\$356,905.08
Federal Programs - ARPA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cafeteria Fund	\$1,668.28	\$208.77	\$0.00	\$1,877.05	\$0.00	\$0.00	\$1,877.05
General Reserves	\$534,710.80	\$0.00	\$0.00	\$534,710.80	\$0.00	\$0.00	\$534,710.80
Sheriff Protection	\$6,816.54	\$0.00	\$0.00	\$6,816.54	\$0.00	\$0.00	\$6,816.54
Fire Protection	(\$161,746.69)	\$0.00	\$0.00	(\$161,746.69)	\$0.00	\$0.00	(\$161,746.69)
General Capital Projects	\$16,141.49	\$0.00	\$0.00	\$16,141.49	\$0.00	\$0.00	\$16,141.49
Electric	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INTERNAL SERVICE FUNDS (701 through 799)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Clearing	(\$1,551.99)	\$0.00	\$0.00	(\$1,551.99)	\$0.00	\$0.00	(\$1,551.99)
<b>Total</b>	<b>\$1,986,938.95</b>	<b>\$4,547.06</b>	<b>\$219,936.47</b>	<b>\$1,771,549.54</b>	<b>\$0.00</b>	<b>\$4,050.21</b>	<b>\$1,775,599.75</b>

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 Brian E Zmolek

Town Supervisor

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 Date

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 Jamie Neisen

Town Supervisor

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 Date

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 Jeff Orth

Chair, Town Supervisor

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 Date

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 Matthew Kitzmann

Town Supervisor

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 Date

---

 Nathan Clarke

Town Supervisor

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 Date

Date Range : 9/1/2022 To 9/30/2022

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
09/30/2022	National Grating	Shop floor grating - invoice 12202	5126	\$2,990.00	100-41940-230-	General Government Buildings and Plant	\$2,990.00
09/30/2022	Premier Bank Visa	September statement - stamps	5127	\$61.80	100-41110-201-200	Council/Town Board	\$61.80
09/30/2022	Griffin Construction Co., Inc.	Lilly 4 road construction	5128	\$318,968.03	201-43138-230-808	Misc Road Work	\$318,968.03
09/30/2022	Crystal Lammers	Town hall cleaning	5129	\$100.00	100-43202-401-	Town Hall cleaning and building repair items	\$100.00
09/30/2022	Charter Communications	Invoice 0794079092422	5130	\$129.99	100-41940-325-	General Government Buildings and Plant	\$129.99
09/30/2022	Olmsted County	Invoice SHER-143400	5131	\$5,411.85	100-41110-313-	Council/Town Board	\$5,411.85
09/30/2022	GDO Law	Invoice 10321, 10326	5132	\$1,696.00	100-41110-304- 100-41110-315-809	Council/Town Board Council/Town Board	\$689.00 \$1,007.00
09/30/2022	WHKS	Invoices 46577	5133	\$2,272.00	100-41110-314-808	Council/Town Board	\$2,272.00
09/30/2022	Custom Communications, INC	Alarm monitoring	5134	\$97.92	100-42408-311-	Security Services	\$97.92
09/30/2022	Driessen Water Inc.	Water	5135	\$14.41	100-41940-230-	General Government Buildings and Plant	\$14.41
09/30/2022	Joint Powers Board	September claims and payroll	5136	\$21,657.51	201-43127-310-	Joint Powers	\$21,657.51

Date Range : 9/1/2022 To 9/30/2022

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
09/30/2022	People's Energy Cooperative	Electric bill for 8th Street Lights - September statement	5137	\$86.00			
					100-43160-386-	Street Lighting	\$86.00
09/30/2022	Milestone Materials	Invoices 3500304146,350030882 9, 3500306273, 3500309070, 3500311262, 3500314169	5138	\$719.34			
					201-43120-230-	Road Maintenance	\$719.34
09/30/2022	Freeborn County Coop Oil	Dust Control	5139	\$753.69			
					201-43120-232-	Road Maintenance	\$753.69
09/30/2022	Rochester Township Cafeteria Acct	September 2022 paycheck cafeteria deposit	5140	\$208.33			
					100-41110-103-	Council/Town Board	\$208.33
09/30/2022	Empower - MN Deferred Comp Plan	September 2022 Deferred Income	5141	\$777.00			
					100-41110-103-	Council/Town Board	\$777.00
09/30/2022	Federal Government	October payroll taxes - Q4, #1	5142	\$591.62			
					100-41110-103-	Council/Town Board	\$591.62
09/30/2022	PERA	September 2022 payroll deductions	5143	\$689.30			
					100-41110-103-	Council/Town Board	\$689.30
09/30/2022	State of Minnesota	October payroll taxes - Q4, #1	5144	\$25.00			
					100-41110-103-	Council/Town Board	\$25.00



Date Range : 9/1/2022 To 9/30/2022

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
Total For Selected Claims				\$357,249.79			\$357,249.79

Brian E Zmolek	Town Supervisor					Date
Jamie Neisen	Town Supervisor					Date
Jeff Orth	Chair, Town Supervisor					Date
Matthew Kitzmann	Town Supervisor					Date
Nathan Clarke	Town Supervisor					Date

**Rochester Township**

**Gross Pay Report**

For the Period 10/1/2022 to 10/31/2022

Employee Name	Title	Gross Wages
Clarke, Nathan	Supervisor	901.81
Kitzmann, Matthew	Supervisor	901.81
Neisen, Jamie	Supervisor	901.81
Orth, Jeff	Supervisor	1,127.27
Rudquist, Sara	Deputy Clerk/Treas	449.62
Staver, Randy R	Clerk/Treasurer	1,092.21
Staver, Sheila	Record Keeping	186.00
Zmolek, Brian E	Supervisor	901.81

**Joint Powers Board Report**      October meeting      **Claims: Septe 2022**

**Rochester and Cascade Townships**

	<b>Total</b>	<b>Rochester Township</b>	<b>Cascade Township</b>
Payroll:			
Pay: Payroll Claims	\$ 12,788.70		
Deductions & Township FICA	\$ 7,506.89		
	\$ -	\$ -	\$ -
Employee Ded HSA	\$ 322.73		
<b>Total</b>	<b>\$ 20,618.32</b>	<b>\$ 10,309.16</b>	<b>\$ 10,309.16</b>

**Non- Payroll Disbursements:**

Road Claims (51% / 49% )	\$ 12,683.93	\$ 6,468.80	\$ 6,215.13
Salt / Sand (46% / 54%)	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
<b>Total Disbursements</b>	<b>\$ 33,302.25</b>	<b>\$ 16,777.96</b>	<b>\$ 16,524.29</b>

Claims List	\$ 20,513.55		
Net Pay Dist.	\$ 12,788.70		
	\$ 33,302.25		
Equipment 1/12 of Amt. Budget	\$ 9,583.34	\$ 4,791.67	\$ 4,791.67
Sick Leave Escrow	\$ 175.76	\$ 87.88	\$ 87.88
Amount owed by each townsh	\$ 43,061.35	\$ 21,657.51	\$ 21,403.84
	\$ 43,061.35		
Should be 00	\$ -		

**\*\*2022 equipment budget = \$115,000**

<b>2021</b> Cascade	28.49 mil	49.10%
<b>2021</b> Rochester	29.61 mil	50.90%
	5.52 miles gravel	
	24.09 miles paved	
<b>total</b>	58.1	
	52.58 paved	

	<b>Amount</b>	
5950	\$ 126.00	Olm Med
5953	\$ 180.20	Menards -S
5954	\$ 907.16	Lesmeister
5955	\$ 1,016.45	Lesmeister
5956	\$ 9.55	Ronco
5957	\$ 1,679.13	MRO
5958	\$ 2,842.30	CHS
5959	\$ 1,941.18	Original Mechanics
5960	\$ 1,436.73	Sanco
5961	\$ 324.58	NAPA
5964	\$ 174.38	Tim H
5965	\$ 120.00	Chris L
5966	\$ 362.20	Pat M
5962	\$ 132.97	C-Charter
5945	\$ 170.79	Century Link
5947	\$ 377.00	R-Peoples
5948	\$ 358.00	C-Peoples
5946	\$ 65.23	RPU
5952	\$ 410.32	R-Waste Mgt
		C-Waste Mgt
		C-Mn Energy
5949	\$ 49.76	R-MN Energy
<b>Total</b>	<b>\$ 12,683.93</b>	<b>4976</b>
		Compass
		Olm Agg
<b>Total</b>	<b>\$ -</b>	<b>Salt/Sand</b>
5970	\$ 729.94	STATE
5969	\$ 2,348.83	PERA + Admin Fee
5951	\$ 16.00	NCPERS
5963	\$ 100.00	CL Security Benefit
5968	\$ 4,312.12	FED
<b>Total Payroll</b>	<b>\$ 7,506.89</b>	
Cafeteria Payments		
5967	\$ 322.73	Pat HS A
		CL HS A
	\$ 322.73	
<b>Total</b>	<b>\$ 20,513.55</b>	
<b>Payroll</b>	<b>\$ 12,788.70</b>	
	\$ 33,302.25	

Date Range : 9/1/2022 To 9/30/2022

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
09/30/2022	Premier Bank Fees	October ACH processing fee	5944	\$15.00	100-41940-210-	General Government Buildings and Plant	\$15.00
09/30/2022	Century Link	507-282-6488	5945	\$170.79	100-41940-386-201	General Government Buildings and Plant	\$170.79
09/30/2022	Rochester Public Utilities	2009272 - RT water only	5946	\$65.23	100-41940-382-201	General Government Buildings and Plant	\$65.23
09/30/2022	People's Energy Cooperative	Rochester Township	5947	\$377.00	100-41940-381-201	General Government Buildings and Plant	\$377.00
09/30/2022	People's Energy Cooperative	Cascade Township	5948	\$358.00	100-41940-381-200	General Government Buildings and Plant	\$358.00
09/30/2022	Minnesota Energy Resources	Rochester 08/26/2022	5949	\$49.76	100-41940-383-201	General Government Buildings and Plant	\$49.76
09/30/2022	Olmsted Medical Center	DOT exam - Scott Monson	5950	\$126.00	201-43102-305-	Road Salary	\$126.00
09/30/2022	NCPRS Group Life Ins	Chris Lien ID 1156 - october 2022	5951	\$16.00	201-41970-365-300	Insurance	\$16.00
09/30/2022	Waste Managememt	Rochester trash	5952	\$410.32	100-41940-384-201	General Government Buildings and Plant	\$410.32
09/30/2022	Menards - Rochester South	cleaning supplies, furnace filters	5953	\$180.20	201-43115-221-	Shop & Equipment Supplies	\$180.20

Date Range : 9/1/2022 To 9/30/2022

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
09/30/2022	Lesmeister Fleet Service Inc	2019 Mack - DOT and repairs	5954	\$907.16	201-43116-229-103	Heavy Equipment Repairs	\$907.16
09/30/2022	Lesmeister Fleet Service Inc	2014 Mack - DOT and repairs	5955	\$1,016.45	201-43116-229-100	Heavy Equipment Repairs	\$1,016.45
09/30/2022	Ronco Engineering Sales, Inc.	oil	5956	\$9.55	201-43115-221-	Shop & Equipment Supplies	\$9.55
09/30/2022	MRO Systems	drawer racks, grease fittings, truck wash	5957	\$1,679.13	201-43115-221-	Shop & Equipment Supplies	\$1,679.13
09/30/2022	CHS	September Fuel	5958	\$2,842.30	201-43111-212-	Fuel	\$2,842.30
09/30/2022	Original Mechanics	replaced multiple seals on cylinders, flush radiator	5959	\$1,941.18	201-43116-229-110	Heavy Equipment Repairs	\$1,941.18
09/30/2022	Sanco Equipment	skidsteer alternator and labor	5960	\$1,436.73	201-43115-229-112	Shop & Equipment Supplies	\$1,436.73
09/30/2022	NAPA Auto Parts - Rochester	skidsteer battery and cables	5961	\$324.58	201-43116-229-112	Heavy Equipment Repairs	\$324.58
09/30/2022	Charter Communications	Cascade phone and internet	5962	\$132.97	100-41940-386-200	General Government Buildings and Plant	\$132.97
09/30/2022	SBG-VAA	Chris Lien - 457B	5963	\$100.00	201-41440-175-	Chris Lien HSA	\$100.00
09/30/2022	Tim Haltom	Q4 Cell phone and reimbursement - mileage	5964	\$174.38			

Date Range : 9/1/2022 To 9/30/2022

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Claim #</u>	<u>Total</u>	<u>Account #</u>	<u>Account Name</u>	<u>Detail</u>
					201-43111-331-	Fuel	\$54.38
					201-41940-387-	General Government Buildings and Plant	\$120.00
09/30/2022	Chris Lien	Q4 Cell phone	5965	\$120.00			
					201-41940-387-	General Government Buildings and Plant	\$120.00
09/30/2022	Pat McGowan	Q4 Cell phone and mileage	5966	\$362.20			
					201-41940-387-	General Government Buildings and Plant	\$330.00
					201-43111-331-	Fuel	\$32.20
09/30/2022	Premier Bank	Chris Lien HSA	5967	\$322.73			
					201-41440-173-361	Chris Lien HSA	\$322.73
09/30/2022	United States Treasury	October 2022 payroll taxes Q4 payment 1	5968	\$4,312.12			
					201-43102-171-	Road Salary	\$2,960.41
					201-43102-122-	Road Salary	\$1,351.71
09/30/2022	PERA	October 2022 payroll contributions	5969	\$2,348.83			
					201-43102-121-	Road Salary	\$1,258.30
					201-43102-174-	Road Salary	\$1,090.53
09/30/2022	MN Department of Revenue	October 2022 payroll taxes Q4 payment 1	5970	\$729.94			
					201-43102-172-	Road Salary	\$729.94
<b>Total For Selected Claims</b>				<b>\$20,528.55</b>			<b>\$20,528.55</b>

Date