

**Bridgewater Township Board of Supervisors**  
**County of Rice, State of Minnesota**  
**Special Meeting for the**  
**Lori Williams Cartway Petition**  
**June 1, 2022**  
**Official Minutes**

1. Call to order at 7:00 pm
2. Pledge of Allegiance
3. Roll Call: Kathleen Kopseng, Glen Castore, Thomas Hart, Mike Little, Andy Ebling, Frances Boehning.
4. Introduction of Guests: Peter Tiede, Adam Dowd, Mark Vyvyan, Pam Franz, Terry Barck, Linda Barck, Tracy Kockendorfer, Kerry Hanson, Mary Franz, Marie Johnson, Greg Johnson, Bryan Finley, Rebecca Finley, Jeremiah Franz, Bethany Franz, James Flaherty, Lori Williams, Keith & Tracee Gilmore.
5. Approval of Agenda – Glen Castore made a motion to approve the agenda, Andy Ebling seconded, all approved.
6. Explanation of Process
  - a. Peter Tiede reviewed the cartway petition process and state statutes. A petitioner may request a cartway from the Town Board if the property is greater than 5 acres and either landlocked or the current easement is less than two rods in width.
  - b. The Town Board will review all facts related to the petition and determine the cartway location based on those facts.
7. Petitioner's Presentation
  - a. Adam Dowd reviewed the Williams cartway petition and proposed cartway location. He noted that the current easement is only 30 feet in width (three feet less than required), goes through a wetland, and exceeds the slope requirements for construction.
  - b. The proposed cartway is overlaid on the existing 12' driveway from 145<sup>th</sup> Street and does not propose to alter the terrain. The cartway would add a 45 degree angle to the Williams property from the current private drive.
  - c. The existing easement was drawn on a map from Falk Ave to the Williams property through a wetland.
  - d. An engineer was consulted by the petitioner. According to the engineer's report, there are concerns that the current easement is not buildable due to land slope constraints and the wetland.
  - e. It was noted that if a house were to be built on the Williams property, it would need to be in the north east corner as there is not room in the north west of the property for the required turnaround.
8. Affected Landowner's Presentations
  - a. Mark Vyvyan reviewed the current cartway petition and current easement.
  - b. A power point presentation was reviewed showing the effect of the petition on current neighboring landowners. An alternative cartway was suggested on the east side of a field owned by Franz.
  - c. Greg Johnson (neighbor) stated the importance of privacy for their property. He said that the current easement should be sufficient.

- d. Mark Vyvyan requested that the Board of Supervisors consider only the current legal easement or the suggested alternative on the east side of the field owned by Franz.
- e. Terry Barck (neighbor) discussed the importance of the existing tree line and how crucial it is to preventing snow drifts during the winter. It was his opinion that if the tree line is not there, the road would become impassable during the winter. Mr. Barck's residence is on a hill which results in water runoff that could impact the road if the tree line is removed.
- f. Lori Williams noted that the east side of the Franz field that borders the private drive floods in heavy rain.
- g. Mr. Flaherty (resident on Falk Ave) reviewed that he lives next to the current easement and is concerned regarding the wetland that would need to be crossed. Mr. Flaherty also stated that if five homes are on a driveway, the township or county has to take the road and maintain it.
- h. Brian Finley (neighbor) reviewed that the prior owners of the Williams property chose not to use the existing easement and tried to use the private drive.
- i. Lori Williams stated that she had worked with Rice County for 10 years to try to find a way to gain access to her property.
- j. Peter Tiede reviewed that the property was entitled to meaningful access with the least disruption.
- k. The following questions were asked and legal information will need to be obtained to answer:
  - i. The slope and wetland limitation prevent construction of a cartway on current easement.
  - ii. If a fifth house is placed on a private drive, it is required that the township or county take the road and provide maintenance.
  - iii. Is it required that a cartway be constructed to the full 33 feet in width?
  - iv. Is a turnaround required to be placed at the end of the cartway?
  - v. There was a concern regarding a possible required 70-foot setback from a farm field for a cartway.
  - vi. There is concern that Rice County requires that if the cartway were to be overlaid on the private road, that it would be required to extend to the current dead end of the drive.
- l. Glen Castore noted that the information will be reviewed and an additional public hearing may be held.
- m. Peter Tiede requested clarification regarding the 60-day rule and if it could be waived. Adam Dowd responded that he did not believe the 60-day rule applied and if it did, it would be waived.

The meeting was adjourned at 8:01 pm.

Chair	
Clerk	