

CORINNA TOWNSHIP BOARD MEETING
Tuesday, October 20, 2015, 7:00 p.m.
Corinna Township Hall
9801 Ireland Avenue NW, Annandale, MN

Official Minutes

Meeting Call to Order and Pledge of Allegiance was at 7:00 p.m.

Present: Chairman Richard Naaktgeboren; Vice Chairman Chuck Carlson; Supervisor John Dearing; Clerk/Treasurer Mary Barkley Brown.

Absent: Deputy Clerk/Treasurer Jean Just

Others in Attendance: Corinna Planning and Zoning Administrator Ben Oleson; Wendy Beduhn; Ed Beduhn; John Harapat; Todd Jackson; Jill Jackson; Lisa Steffens; Paul Steffens; Karen Gusaas; Dave Seestrom; Marlin Grant; Marty Campion; Matthew Coz; Shirley Hillestad; Mark Kraemer; Wanda Kraemer; Don Rasset; Ellen Collins; Andrea Smith; Glen Thurmes; Gloria Thurmes; Paul Gustafson; David Nelson; Tom Dohmen (arrived 7:42 p.m.).

Approve or Amend Agenda, Town Board Meeting, October 20, 2015: A motion was made by Carlson, seconded by Dearing, to approve the Agenda as presented with the following additions: Request to be on the Agenda: Tom Dohmen Regarding Culvert; Vi Novotne Thank You Note; Town Hall Rental Agreement; Mike Pucci Comment of 10/17/15 Regarding Rachel Rezoning; Petition from Neighboring Property Owners Regarding Rachel Rezoning. Motion carried unanimously.

Approve or Amend Minutes, Town Board Meeting, 2015: A motion was made by Dearing, seconded by Carlson, to approve the Minutes of the Town Board Meeting of October 6, 2015. Motion carried unanimously.

Maintenance Outlook Report: Reviewed.

Requests to be on the Agenda:

1. Tom Dohmen, 11953 Kramer AV NW, Regarding Culvert: Dohmen discussed drainage issues in his yard and in his neighborhood with the Town Board. He requested a culvert. Naaktgeboren had made a site visit to the property before the meeting. There was considerable discussion. It was determined that a culvert would not solve the issue. The Town Board suggested Dohmen run his rain gardens into a sealed tank on Dohmen's property near the road, and use a sump pump to pump the water across the road. This would require an easement to cross the road, also. Oleson will check with Wright Soil and Water to make sure this is permissible.

Other Business:

1. Planning and Zoning Administrator's Report:

The Planning Commission/Board of Adjustment (PC/BOA) held its regular meeting on October 13, 2015. They held nine public hearings.

Town Board action is required on following items #5 and 6 (rezoning applications) and #9 (ordinance amendment).

5. **Application:** Request to rezone the property from General Agriculture (AG) to a mix of Urban/Rural Transitional (R-1), Suburban Residential (a) (R2a), and Agricultural/Residential (AR).

Applicant: Judith I. (Judy) Bryan

Location:

- o Property address: 6400 102ND ST NW, Maple Lake
- o Sec/Twp/Range: 12-121-27
- o Parcel number(s): 206000121300

Zoning: General Agricultural (AG)

David Nelson was at the meeting to represent Judith Bryan. Mr. Nelson said, "They are waiting for the last report from the surveyor."

Town Board Direction: Town Board action is required in order to pass on a Township recommendation to Wright County, which would make the final decision on a rezoning such as is proposed. The Town Board may also recommend denial of the proposed amendment, table the application, or send it back to the Planning Commission for further study.

Planning Commission/Board of Adjustment Action: The PC/BOA, on a unanimous vote has taken action on the application as follows:

Rezoning recommended for approval:

1. Lakeshore portion – AG to R1
2. House portion – AG to R1
3. Field portion east of Grover Ave NW – AG to A/R.

A motion was made by Dearing, seconded by Carlson, to recommend rezoning approval of the following,

1. **Lakeshore portion – AG to R1**
2. **House portion – AG to R1**
3. **Field portion east of Grover Ave NW – AG to A/R**

based on the following Findings of Fact in support of their recommendation:

Proposed Findings of Fact: The PC/BOA has recommended the following findings of fact in support of their recommendation:

1. **Preservation of natural sensitive areas.** The subject property does not appear to contain any unusual sensitive areas.
2. **Present ownership and development.** The property is currently actively farmed on all but the house portion of the property.
3. **Soil types and their engineering capabilities.** The subject property contains several soil types, but the bulk of the area is of a soil type that is generally suitable for dwellings.
4. **Topographic characteristics.** The topography of the site is generally of a rolling nature with some relatively moderate slopes throughout.
5. **Vegetative cover.** The site is primarily open farm field with little tree cover except for at the shoreline and at the house site.
6. **Quality of the land for agricultural purposes.** The land has been actively farmed for many years, but is relatively small in size. The 14 acre portion to the east of Grover Avenue is connected with other farm fields.
7. **In-water physical characteristics.** One portion of the property has frontage on Indian Lake with no visible stands of aquatic vegetation in the immediate area.
8. **Recreational use of surface water.** Indian Lake is used recreationally for fishing, boating, swimming and other similar uses.
9. **Road and service center accessibility.** The properties are all served with gravel Township roads.
10. **Socio economic development needs of the public.** The area is currently either used residentially or for crop farming. The requested rezoning would allow for up to three or four additional homes in the area to

be rezoned.

11. **Availability of public sewer and water utilities.** The lots would be served by private sewer and water.
12. **The necessity to preserve and restore certain areas having significant historical or ecological value.** The Township is unaware of any areas with particular historical or ecological value on this property.
13. **Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties.** The proposed rezoning would create more of a mix between agricultural and residential uses. Staff would not expect significant conflict regarding direct farming activities.
14. **Alternatives available for desired land use.** The alternative land use for this property is essentially just to remain being used as it currently is – as small parcels of farmland and one residential home.
15. **Prevention of spot zoning.** Staff does not feel that rezoning to R1 and A/R would be considered spot zoning given that adjacent properties are zoned R1 or A/R and a residential or Agriculture Residential zoning classification is anticipated in the Corinna and Wright County Comprehensive Plans.
16. **Conformance to the Corinna Township Comprehensive Plan.** The Comprehensive Plan of Corinna Township identifies this property as Rural Preservation, which could be consistent with a rezoning to R-1 or A/R zoning given the surrounding zoning. The primary goal for development within the Rural Preservation classification is to prevent the loss of agriculturally productive land and rural character. A significant concern desire of the Township was to encourage “cluster” type developments that allowed for housing, but preserved and protected sensitive environmental or agricultural features.
17. **Conformance to the Corinna Township Future Land Use Map and any other official maps of the Township.** See answer to #16 above.

Motion carried unanimously. This recommendation will be passed on to Wright County, which will make the final decision on a rezoning such as is proposed. Motion carried unanimously.

6. **Application:** Request to rezone the property from General Agriculture (AG) to Urban/Rural Transitional (R-1) and Agricultural/Residential (A/R) with a Rural PUD overlay.

Applicant: Rachel Properties LLC

Location:

- o Property address: 7764 117TH ST NW, Annandale
- o Sec/Twp/Range: 2-121-27
- o Parcel number(s): 206000022300

Zoning: General Agricultural (AG)

Mike Pucci Comment of 10/17/15 regarding Rachel rezoning was entered into the public record.

Petition of 10/20/15 from neighboring property owners, including Wendy Beduhn; Ed Beduhn; John Harapat; Todd Jackson; Lisa Steffens; Paul Steffens; Karen Gusaas; Dave Seestrom; Marlin Grant; Stanley Hillestad; Ellen Collins; Ken Isaacson; Gary Hiscock; Mary Stumpf; Janice Arone and Leslie Rathje regarding Rachel rezoning, was entered into the public record.

Letter of 10/20/15 from Marlin Grant was entered into the public record.

Letter of 10/20/15 from Janice Arone was entered into the public record.

Corinna Planning and Zoning Administrator Ben Oleson explained that this is a multi-step process. The Town Board gives their recommendations on rezoning to the Wright County Board. Wright County makes the final decision on rezoning. The State Law reads that the Township cannot be less restrictive than the County. If the

rezoning is passed by Wright County, then a subdivision plan can be submitted to Corinna Township. There would be a public hearing. The subdivision plan would include lot lines, roads, etc.

Marlin Grant asked to speak on behalf of a group of concerned neighbors: Grant asked that the neighborhood petition be entered into the public record. Grant said that he has been on the lake 51 years. The PUD overlay is their major concern. The area is very heavily wooded. They fear what will happen to the woods. PUD allows for small lots. They would like time to gather the 22 homeowners as to what our concerns and thoughts are – and to speak to Mr. Rachel. He said they are respectfully asking for this issue to be continued.

Marty Campion said that Mr. Rachel is willing to talk to the neighbors. A storm water analysis and layout will be coming. There is a gap between now and the next submittal – the preliminary plat application. There will be plenty of time to discuss.

Town Board Direction: Town Board action is required in order to pass on a Township recommendation to Wright County, which would make the final decision on a rezoning such as is proposed. The Town Board may also recommend denial of the proposed amendment, table the application, or send it back to the Planning Commission for further study.

Planning Commission/Board of Adjustment Action: The PC/BOA, on a unanimous vote and after significant discussion, has taken action on the application as follows:

Rezoning recommended for approval:

1. Lakeshore portion as identified on the concept plan as Lots 1-10, Block Two – AG to R1
2. Remainder of the property – AG to A/R with a Rural PUD overlay.

The PC/BOA noted to the public that many of the specific concerns raised would be addressed in any subsequent public hearing related to an actual and specific preliminary plat/conditional use application should the rezoning be approved by both the Township and Wright County.

A motion was made by Dearing, seconded by Carlson, to recommend rezoning approval of the following,

- 1. Lakeshore portion as identified on the concept plan as Lots 1-10, Block Two – AG to R1.**
- 2. Remainder of the property – AG to A/R with a Rural PUD overlay,**

based on the following Findings of Fact in support of their recommendation:

Proposed Findings of Fact: The PC/BOA has recommended the following findings of fact in support of their recommendation:

1. **Preservation of natural sensitive areas.** The subject property contains several large wetland areas as well as lakeshore on Sugar Lake.
2. **Present ownership and development.** The property is currently actively farmed for much of the property. The lakeshore has been a long-standing RV campground.
3. **Soil types and their engineering capabilities.** The subject property contains numerous soil types. The shoreland area and some other portions where home are anticipated along 117th have soils identified as “somewhat limited” for dwellings without basements and “very limited” for dwelling with basements (due primarily to a high water table and ponding). The areas behind Hoyer Ave is identified with soils that are not limited for dwellings.
4. **Topographic characteristics.** The topography of the site is generally of a rolling nature with some relatively moderate slopes throughout.
5. **Vegetative cover.** The site is primarily open farm field with little tree cover except for along the shoreline, to the west of Hoyer Ave and other small areas.
6. **Quality of the land for agricultural purposes.** The land has been actively farmed for many years in the areas away from the lake. The lakeshore areas where the RV campground is currently located is not

especially suited to farming due to a relatively high water table and wetlands.

7. **In-water physical characteristics.** The property has a large amount of frontage on Sugar Lake, with some emergent aquatic vegetation visible.
16. **Recreational use of surface water.** Sugar Lake is used recreationally for fishing, boating, swimming and other similar uses.
17. **Road and service center accessibility.** The properties are all served with gravel Township roads (117th Street NW) off of a paved Township Road (Ireland Ave NW).
18. **Socio economic development needs of the public.** The area is currently either used for crop farming and for what was an RV campground until very recently. The requested rezoning would allow for additional residential development in the area.
19. **Availability of public sewer and water utilities.** The lots would be served by private sewer and water.
20. **The necessity to preserve and restore certain areas having significant historical or ecological value.** The property has several large areas of wetlands. It is also adjacent to state wildlife land (to the north).
21. **Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties.** The proposed rezoning would create more of a mix between agricultural and residential uses. There would be the possibility for some conflict related to that mix, although buyers would likely be aware of that potential.
22. **Alternatives available for desired land use.** The alternative land use for this property is essentially just to remain being used as it currently is – as farmland and limited residential development.
23. **Prevention of spot zoning.** The Township does not feel that rezoning to R1 and A/R with a PUD overlay would be considered spot zoning given that adjacent properties are zoned R1 and a residential or Agriculture Residential zoning classification is anticipated in the Corinna and Wright County Comprehensive Plans.
24. **Conformance to the Corinna Township Comprehensive Plan.** The Comprehensive Plan of Corinna Township identifies this property as Rural Preservation, which could be consistent with a rezoning to R-1 or A/R zoning given the surrounding zoning. The primary goal for development within the Rural Preservation classification is to prevent the loss of agriculturally productive land and rural character. A significant concern desire of the Township was to encourage “cluster” type developments that allowed for housing, but preserved and protected sensitive environmental or agricultural features.

Ensuring compliance with the Comprehensive Plan will depend largely on the review of a final development proposal for the property, which would occur at a future public hearing should the rezoning be approved and the landowner make such an application.

24. **Conformance to the Corinna Township Future Land Use Map and any other official maps of the Township.** See answer to #16 above.

Motion carried unanimously. This recommendation will be passed on to Wright County, which will make the final decision on a rezoning such as is proposed. Motion carried unanimously.

9. **Application:** Ordinance Amendment to amend the written notification distance for public hearings from ½ mile to that required by MN Statutes 394.26.

Applicant: Corinna Township

Planning Commission/Board of Adjustment Action: The PC/BOA, on a unanimous vote and after significant discussion, has recommended approval of the proposed ordinance amendment as follows:

That notifications to neighboring property owners for public hearings be the minimums as required by state law or Wright County, whichever is more restrictive (Note: this would not require any change to the existing

language of the Corinna Township ordinance, as state law would apply and the language, as noted previously, has already been removed from the Township ordinance).

Current notification distances would be changed to the following for future public notices:

1. Variances – 500 ft.
2. Conditional Use/Interim Use Permits – ¼ mile
3. All other official controls (i.e. subdivisions, rezonings, etc...) – ½ mile

John Harapat raised a questions about people not getting notices if they are seasonal property owners. Clerk Brown explained that the neighbor notices go to the property owner's homesteaded address, as provided by Wright County. This is the address to which their tax statements are sent.

A motion was made by Carlson, seconded by Dearing, to recommend approval of the proposed ordinance amendment as follows:

That notifications to neighboring property owners for public hearings be the minimums as required by state law or Wright County, whichever is more restrictive (Note: this would not require any change to the existing language of the Corinna Township ordinance, as state law would apply and the language, as noted previously, has already been removed from the Township ordinance).

Current notification distances would be changed to the following for future public notices:

1. Variances – 500 ft.
2. Conditional Use/Interim Use Permits – ¼ mile
3. All other official controls (i.e. subdivisions, rezonings, etc...) – ½ mile

Motion carried unanimously.

Next Corinna Monthly Planning Commission Meeting: Wednesday, 10/28/2015 at 7:00 p.m. at the Town Hall.

Amendments to Wright County Ordinance: 2nd reading. No action taken.

Violations:

Craig Schulz Letter of 8/10/2015 to owner of Hazardous Building - Burt and Barbara Wolslayer: 11430 Klever AV NW – Building is hazardous and will need to be removed or abated. They have a contract for building demolition with Flygare Excavating.

Craig Schulz Letter of 5/1/15 to Owner of Dangerous and Hazardous Buildings 8008 Griffith AVE NW: Craig Schulz reported that Milo Vail agrees that the garage needs to be torn down. Vail was directed by Schulz to contact Corinna Township with plans by June 18, 2015. Vail contacted the township and is asked that we get a quote to tear down the garage. Received quote from Mares for \$2800.00 to tear down and remove structure. Brown talked to Vail on 8/10/15, gave Mares Excavating's estimated cost of tear-down, waiting to see what Vail would like to do. Brown left follow-up voice mail for Vail on 9/10/15; 9/18/15 Corinna Certified Mail letter to Vail; 10/9/15 Vail called Clerk Brown to say he was sending paperwork agreeing to the demolition by the township, with cost to be assessed to his property tax. Vail's signed agreement was received by the Township on Friday, 10/16/15.

Special Assessment Agreement: A motion was made by Naaktgeboren, seconded by Dearing, to approve Special Assessment Agreement signed by Milo J. Vail on 10/6/15. Motion carried unanimously.

Resolution Adopting Assessment: A motion was made by Naaktgeboren, seconded by Carlson, to adopt Resolution #2015-07, a Resolution Adopting Assessment. Motion carried unanimously.

PID # 206-000-153404 - 8987 Iresfeld AV NW: Building permit was issued in 2005 by Wright County and that it is still open and there is also a non-conforming sewer. Oleson will follow up, checking on sewer and also on time allowed to complete the building of the dwelling. Oleson inspected property on 2/24/14. Oleson letter of 2/24/14 to Oxenford; Oleson letter of 5/2/14 to Oxenford has 6/30/2014 deadline; 6/15/15 Oleson letter to Oxenford states that the replacement of Oxenford's septic system must be completed by 9/30/15. Clerk Brown sent letter by certified mail; Oleson spoke

to Oxenford, who stated that he is working with Bernie Miller on a design for an upgraded system. At Town Board Meeting of 10/20/15, Oleson reported that the sewer design is complete, but that the Township has not received an application for a sewer permit yet.

Summary of Recent Hazardous or Illegal Buildings Actions: Reviewed.

2. Survey Ibs/Bakken Turn-Around: Not done. Naaktgeboren noted that there needs to be survey work for a utility easement for property near 11182 Hoyer AV NW, where recent work has been done.
3. ISD 881 Notice of Special Election: Reviewed.
4. MHMP Public Meeting Recap: Reviewed.
5. Vi Novotne Thank You Note: Reviewed.
6. Town Hall Rental Agreement: A motion was made by Naaktgeboren, seconded by Carlson, to approve U of M rental agreement for 4H Club rental of Town Hall. Motion carried unanimously.

Any Other Business That May Come Before the Board: None.

Information on File:

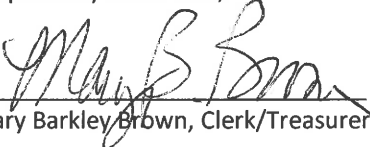
Office of the State Auditor: E-Updates of 10/2/15 and 10/9/15 were reviewed.

Payment of Claims:

A motion was made by Dearing, seconded by Carlson, to approve Direct Deposit Payroll JE 2015-55 through JE 2015-57 (Miller Welle Heiser Payroll Service); Payroll Checks # 872 through # 875 (Miller Welle Heiser Payroll Service); Check # 19689 through Check # 19708 in the amount of \$22,200.71. Motion carried unanimously.

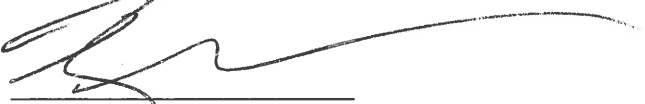
A motion was made by Carlson, seconded by Naaktgeboren, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 9:10 p.m.

Respectfully submitted,



Mary Barkley Brown, Clerk/Treasurer

November 3, 2015



Richard Naaktgeboren, Chairman