

CORINNA TOWNSHIP BOARD MEETING
Tuesday, May 3, 2016, 7:00 p.m.
Corinna Township Hall
9801 Ireland Avenue NW, Annandale, MN

Minutes

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

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

Absent: Deputy Clerk/Treasurer Jean Just; Corinna Maintenance Man Doug Smith.

Others in Attendance: Corinna Maintenance Man Mark Miller; Corinna Planning and Zoning Administrator Ben Oleson; Bill Arendt; Bill Burke; Delores Burke; Andrea Smith; Don Rachel; Marty Campion; David Stradtman.

Approve or Amend Agenda, Town Board Meeting, May 3, 2016: A motion was made by Smith, seconded by Dearing, to approve the Agenda as presented with the following additions: Wright County Board of Commissioners and Wright County Planning Commission Notice of Intent to Ordain and to Adopt the Reorganized and Restated Wright County Ordinances; Wright County Board of Commissioners Notice of Intent to Ordain and to Adopt Emergency Interim Zoning Ordinance Instituting an Emergency Moratorium on Solar Energy Farms. Motion carried unanimously.

Approve or Amend Minutes, Town Board Meeting, April 19, 2016: A motion was made by Dearing, seconded by Smith, to approve the Minutes of the Town Board Meeting of April 19, 2016. Motion carried unanimously.

Maintenance Outlook Report: Reviewed.

The Town Board advised the Maintenance Department not to exceed 5,000 cubic yards of gravel from ARP bid.

Maintenance Man Mark Miller shared quotes from Mid-MN Hot Mix, Inc. for various repair or maintenance of roads as follows:

Overlay and patching of Hollister AV NW, on east side of Sugar Lake, approximately 921 long: A motion was made by Dearing, seconded by Carlson, to approve the work at \$15,402.00, plus the option to pave radius at corner for \$1,590.00. Motion carried unanimously.

Paving of intersection area at Irvine and 80th ST NW on west side of Cedar Lake for \$11,845.00. A motion was made by Dearing, seconded by Smith, to approve the work. Motion carried unanimously.

Paving of 103rd ST NW on south side of Clearwater Lake for \$9,140.00. A motion was made by Carlson, seconded by Dearing, to approve the work. Motion carried unanimously.

Mid-MN Hot Mix also offered a 5% discount for doing more than one of the projects.

Burke Complaint at 7364 Isaak Ave NW, Cedar Lake, Regarding Drainage: Bill Burke addressed the Town Board. There was a discussion of the water drainage issue. Township personnel will look into this and discuss it again at the June 7, 2016 Regular Town Board Meeting.

New Maintenance Shed: Will consider quotes at the May 17, 2016 Regular Town Board Meeting.

Requests to be on the Agenda:

1. Bill Arendt Representing Diane Salls: The Township will work on Salls' project concerns when done hauling gravel, pending weather and outside hires' schedule.

2. Request from Bobby Ebert Regarding South "Wurm" Landing on Cedar Lake: Bill Arendt addressed the Town Board. Arendt asked if the Cedar Lake Conservation Club can monitor "Wurm's Landing" for approximately 30 hours throughout the summer of 2016. They may use Anchor Dock to do the monitoring. A motion was made by Dearing, seconded by Carlson, to approve the request. The Town Board also asked for a report at the end of 30 hours monitoring. Motion carried unanimously.

Other Business:

1. Planning and Zoning Administrator's Report:

Tabled from April 19, 2016 Meeting:

Application: Final plat approval of "The Preserve at Sugar Lake"

Applicant: Rachel Properties, LLC

Proposal: Rachel Properties has applied for final plat approval from Corinna Township for their preliminary plat of "The Preserve at Sugar Lake".

This application was tabled at the April 19 Town Board meeting due to concerns raised by Wright County regarding the creation of four outlots to accommodate septic drainfields for four of the proposed lake lots. The County had expressed that such a change from what they had seen in approving a concept plan at the time rezoning was approved for this parcel may require additional review by their Planning Commission and/or County Board.

The applicant has talked with Wright County Planning & Zoning and its director, Sean Riley, has confirmed to Staff that the County would not have any issues if the proposed areas for septic drainfields were provided via permanent easements rather than the creation of outlots. As such, the applicants are now proposing permanent easements for these drainfields rather than Outlots. The Township Attorney has indicated that it does not matter to him whether they are easements or outlots.

Findings of Fact: The following represent proposed findings related to the final plat application, relating to the Township's requirements for final plat approval:

Required Items:

1. The final plat shall have incorporated all changes or modifications required by the Township in its approval of the preliminary plat. In all other respects, the final plat shall conform substantially to the preliminary plat.
 - o **Staff Finding:** The final plat conforms substantially to that of the preliminary plat, with modifications related to changes required by the Township and/or related to required avoidance of wetlands.

The conditions on the preliminary plat approval were:

1. That the applicant must submit their plans and calculations related to meeting NPDES requirements for stormwater to the Township when completed for review. The Township will request review by Wright County SWCD and/or a private engineer to ensure that the Township ordinance requirements for stormwater are met. The Township shall approve the plans prior to final plat approval.
2. That the applicant shall construct the roadways as noted in the submitted construction plans, or as otherwise approved by the Town Board, prior to final plat approval. Alternatively, the applicant can submit a financial security and otherwise meet the requirements of the Township Subdivision Ordinance for completion of improvements after final plat approval.
3. All lots shall have private sewers installed to serve the homes at the time of construction. If a community drainfield/septic system is installed to serve any of the lots, such community drainfield shall meet all requirements and a homeowner's association or other equally effective organization shall be formed to assure proper maintenance and operation of the community drainfield. Such organization shall be approved by the Township prior to a permit

being issued for the installation of the system. An easement, or other approved means of assuring access to the common septic system, shall be in place prior to a permit being issued for the system.

4. The applicant shall submit sufficient calculations and information to ensure that they will be meeting the density and open space requirements applicable to the shoreland portion of the property – not including Lots 1-10, Block Two (the shoreland lots).
2. The final subdivision plat shall be drawn to scale of not more than 200 feet to the inch or as approved by the Township. The sheers shall be numbered in sequence, of more than one sheer, and shall be submitted on 20" x 30" paper sheets or as otherwise approved by the Township.
 - **Staff Finding:** The final plat has been submitted at a scale of 1" = 200' and at a size of 11" x 17". They have also been sent in electronic form, allowing the township to zoom into any details it needs.
3. Final subdivision plat shall be prepared by a land surveyor licensed by the State of Minnesota.
 - **Staff Finding:** The final plat has been prepared by Jeffrey R. Rausch, Pellinen Land Surveying, Inc., Hutchinson, MN. His State of Minnesota license number is No. 24329.
4. The final plat shall be prepared for recording purposes and must include all information and be presented as required by the Wright County Recorder's Office.
 - **Staff Finding:** The final plat has not been prepared in mylar form yet for recording. This will be done after the Town Board has given its preliminary approval, as well as any other County departments that will be reviewing the final plat before final preparation.
5. For Planned Unit Developments, the final development plan shall comply in all respects with the approved preliminary development plan. Changes in the approved preliminary development plan shall require an amended Conditional Use Permit.
 - **Staff Finding:** The final plat as presented complies with the approved preliminary development plan, except that the Board should review the proposed Outlots B-E for compliance with the requirement of the preliminary approval as follows (Staff had anticipated one outlot rather than four, although that is not necessarily in conflict with the following): **"All lots shall have private sewers installed to serve the homes at the time of construction. If a community drainfield/septic system is installed to serve any of the lots, such community drainfield shall meet all requirements and a homeowner's association or other equally effective organization shall be formed to assure proper maintenance and operation of the community drainfield. Such organization shall be approved by the Township prior to a permit being issued for the installation of the system. An easement, or other approved means of assuring access to the common septic system, shall be in place prior to a permit being issued for the system."**
 - Roads and other improvements, including improvements to common open spaces, must be completed prior to recording the final development plan, unless adequate financial guarantees are provided to the Township in accord with Subdivision Regulation requirements.
 - **Staff Finding:** The applicant has provided final construction plans as well as its plans for a financial guarantee (performance bond). A copy of the actual performance bond has not yet been submitted, although the applicant is working with Staff (who is working with the Township Attorney) to have any final bond language reviewed and approved. No permits for construction of dwellings or other structures should be allowed until the bond has been approved by the Town Board.
6. When installed prior to final plat approval, final construction plans for all required improvements, as designed by the licensed, professional engineer, shall be subject to review and approval by the Township. Plans may also be reviewed by other appropriate agencies, as determined by the Zoning Administrator. Plans shall be drawn at a scale and size as approved by the Township. The following shall be shown:

- *Plan and Profile.* Profiles showing existing and proposed elevations along center lines of all roads. Where a proposed road intersects an existing road or roads, the elevation along the center line of the existing road or roads within one hundred (100) feet of the intersection, shall be shown. Radii of all curves, lengths of tangents, and central angles on all streets shall be shown. Final construction plans shall show the locations and cross-section of street pavements including curbs and gutters, sidewalks and trails (if required), drainage easements, rights-of-way, manholes, and catch basins; the locations of street lighting standards, and street signs; the location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility systems; and exact location and size of all water, gas, or other underground utilities or structures.
 - *Utility Plan.* Location, size, elevation, and other appropriate descriptions of any existing facilities or utilities, including, but not limited to, existing streets, sewers, drains, water mains, easements, water bodies, streams, and other pertinent features, at the point of connection to proposed facilities and utilities within the subdivision.
 - *Grading, Drainage, and Erosion Control Plan.* A final grading, drainage, and erosion control plan for the entire subdivision shall be submitted reflecting those portions of the subdivision affected by drainage, and erosion control measures that are required of the developer. Topography at the same scale as the preliminary plat with a contour interval of two (2) feet. The water elevations of adjoining lakes or streams at the date of the survey, and the approximate high-and low-water elevations of such lakes or streams. The Township Engineer may require, where steep slopes exist, that cross-sections of all proposed streets at one-hundred-foot (100-foot) stations be shown at five (5) points as follows: On a line at right angles to the center line of the sheet, and said elevation points shall be at the center line of the street, each property line, and points twenty-five (25) feet inside each property line. The Township Zoning Administrator may require cross sections in sensitive natural resource areas including bluffs, shorelands, and wetlands.
 - **Staff Finding:** The applicant has provided copies of the above-required plans. They are being reviewed by Wright County SWCD and they have provided initial comments.
7. **Title:** A current title opinion from a private attorney on their letterhead to the description of the property being platted. "Current" shall mean that the document shall have originated within 30 days or less at the date of submission of the final plat. (NOTE: For purposes of Township review, a Title Commitment may be submitted instead of a Title Opinion. However, Wright County will only accept a Title Opinion during their stage of the review process. Contact Wright County Planning & Zoning for more information.)
- **Staff Finding:** The applicant has provided a Title Commitment, which has been reviewed by the Township Attorney. Ultimately, the applicant is required to submit a Title Opinion to Wright County, as required by the County Attorney's Office. The Township Attorney has indicated that so long as the County approves the Title Opinion, he has no reason to have any additional involvement or review.
8. **Covenants:** Any restrictive covenants, subdivision agreements, declarations of restriction or certificates of transfer of development rights shall be submitted with the final plat.
- **Staff Finding:** The applicant has provided a draft copy of the covenants, but these have not yet been finalized.
9. **Corinna Township Zoning Administrator/Township Attorney Review:** The final plat shall be considered a complete application when the Zoning Administrator has determined that all requirements have been met, including a review of the Title Opinion/Title Commitment by the Township Attorney.
- **Staff Finding:** The applicant has provided a Title Commitment, which has been reviewed by the Township Attorney. Ultimately, the applicant is required to submit a Title Opinion to Wright County, as required by the County Attorney's Office. The Township Attorney has indicated that so long as the County approves the Title Opinion, he has no reason to have any additional involvement or review.

A motion was made by Dearing, Seconded by Smith, to approve the final plat and developer's agreement. Building permits will not be issued until the bond is in place. The county must approve title opinion. An encroachment agreement will be drafted to allow access, structure and maintenance of septic only. Motion carried unanimously.

Proposed Ordinance Amendments:

Application: Ordinance amendments to Corinna Township Land Use Ordinance, amending Sections 302 (Definitions), 506 (Permits and Fees), 606.3 (Suburban Residential R-2/Accessory Uses), 704 (Screening and Fences), 724 (Sign Ordinance), and 761 (Wind Energy Conversion Systems) and adding a new Section 762 (Solar Energy Farms and Solar Energy Systems). The amendments are for the purpose of considering recent ordinance amendments made by Wright County regarding the minimum size building requiring a building permit, the maximum size accessory building in an R-2 zoning district, allowing for electrified fencing for agricultural uses and power safety covers for swimming pools, correcting references to various state laws or building codes, for amending Township sign regulations, to allow for solar energy farms and solar energy systems under certain conditions and for creating or amending definitions related to the above changes.

Applicant: Corinna Township

Proposal: Wright County has recently adopted a number of ordinance amendments. By state law, the Township is required to be at least as restrictive as the County in its own ordinances. As such, the attached proposed ordinance amendments are proposed for the Township and reflect the changes made by the County.

Planning Commission/Board of Adjustment Action: The PC/BOA has recommended adopting the changes made by Wright County with the following exceptions:

1. In regards to solar energy farms and systems, the Planning Commission has recommended adopting the section relating to solar energy systems (those that are relatively small in terms of energy-creating capacity and would be typical for installation to serve a single dwelling or building) and tabling any action regarding the section on solar energy farms (systems that can generate more than 100 KW of electricity). They tabled that section due to the County recently instituting an interim ordinance ("moratorium") on such farms due to some challenges that have arisen since the ordinance was adopted in late 2015.
2. In regards to signage:
 - a. The Township would retain its ban on billboards. The County does allow billboards in certain areas, so this would be more restrictive than the County.
 - b. The Township discussed that it does not want to allow for "dynamic signs" (signs where the message or lighting moves, flashes, etc.....). The County already has listed these types of signs as prohibited, so it does not require a change from what Wright County has already adopted.
3. In regards to permitting of buildings, the Planning Commission has recommended that a land use permit be required for structures which are 100-200 sq. ft. in size if they are on a lot that is less than 20,000 sq. ft. in size. Wright County does not require any permit until a structure is 200 sq. ft. in size (the County's change from 120 sq. ft. to 200 sq. ft. was due to a change in the building code raising the size of buildings requiring compliance with the building code to 200 sq. ft.). The Commission felt that on small lots, where it is more likely that a landowner would run up against the building or impervious coverage limits, it is important to require permits to help ensure that they do not exceed those limits.

A motion was made by Smith, seconded by Dearing, to table the decision on proposed Ordinance Amendments until the second meeting in June, 2016. Motion carried unanimously.

Wright County Board of Commissioners Notice of Intent to Ordain and to Adopt Emergency Interim Zoning Ordinance Instituting an Emergency Moratorium on Solar Energy Farms: Reviewed. The Town Board had no objection to this.

Wright County Board of Commissioners and Wright County Planning Commission Notice of Intent to Ordain and to Adopt the Reorganized and Restated Wright County Ordinances: Reviewed. The Town Board had no objection to this.

Next Corinna Planning Commission Meeting Dates: Tuesday, May 10, 2016 and Wednesday, May 18 at 7:00 PM.

Corinna P and Z Clerk April, 2016 Report: Reviewed.

PID # 206-000-153404 - 8987 Iresfeld AV NW: Sewer permit has been picked up and permit fee paid. Dean Flygare said work should be done in next few weeks.

PID# 206-000-021105 11955 Hart Avenue NW: Corinna letter of 1/28/16 regarding shed. Wiltermuth has applied for a variance hearing. The hearing is 5/10/2016.

PID# 206-016-000010 Oleson Letter of 4/28 16: Reviewed.

2. Building Use Report May, 2016: Reviewed.
3. CenterPoint Energy: 4/1/16 Notification of Natural Gas Main Installation was reviewed.
4. Local Board of Appeal and Equalization Meeting of 4/14/16 Notes: Reviewed.
5. Legal Notice Regarding Petition to Vacate Road: Reviewed.

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

Information on File:

2016 Mink Somers Spring Meeting: Reviewed.

Municibid: Reviewed.

YTS Tree Care Experts: Reviewed.

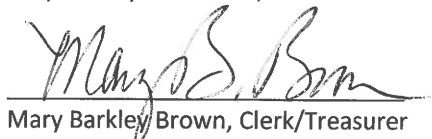
Office of the State Auditor: E-Updates 4/15/16, 4/22/16 were reviewed.

Payment of Claims:

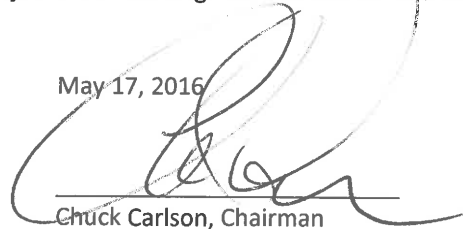
A motion was made by Dearing, seconded by Carlson, to approve Direct Deposit Payroll JE 2016-022 through JE 2016-024 (Miller Welle Heiser Payroll Service); Payroll Checks #934 through #937 (Miller Welle Heiser Payroll Service); Check # 19986 through Check # 20005 in the amount of \$43,109.14. Motion carried unanimously.

A motion was made by Smith, seconded by Dearing, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 8:55 p.m.

Respectfully submitted,


Mary Barkley Brown, Clerk/Treasurer

May 17, 2016


Chuck Carlson, Chairman