

CORINNA TOWNSHIP BOARD MEETING
Wednesday, July 5, 2017, 7:00 p.m.
Corinna Township Hall
9801 Ireland Avenue NW, Annandale, MN

Minutes

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

Present: Chairman John Dearing; Vice Chairman Larry Smith; Supervisor Chuck Carlson, Deputy Clerk/Treasurer Jean Just.

Absent: Clerk/Treasurer Mary Barkley Brown.

Others in Attendance: Tom Stutelberg, Karen Stutelberg, David Nelson, Judy Bryan, Dick Naaktgeboren.

Approve or Amend Agenda, Town Board Meeting, July 5, 2017: A motion was made by Carlson, seconded by Smith, to approve the Agenda as presented. Motion carried unanimously. Copies of the previous Meeting Minutes and this Meeting's Agenda are available for those attending this meeting.

Approve or Amend Minutes, Town Board Meeting, June 20, 2017: A motion was made by Smith, seconded by Dearing, to approve the Minutes of the Regular Town Board Meeting of June 20, 2017. Motion carried unanimously.

Maintenance Outlook Report: Reviewed.

Public Hearing – Kathy and Steve Irwin Road Vacation and Easement to Township:

PROPOSED ROADWAY VACATION DESCRIPTION:

That part of the 20.00 foot wide strip of land dedicated as a road on the recorded plat of DE-O-NA-GA-NO POINT, Wright County, Minnesota, which lies within Lot 30 said DE-O-NA-GA-NO POINT.

Chair John Dearing opened the Public Hearing and asked for comments from the public. There were no comments. Dearing closed the Public Hearing:

Resolution Vacating Road: A motion was made by Carlson, seconded by Smith, to approve resolution #2017-08, a Resolution Vacating Road. Motion carried unanimously.

Resolution Accepting Easements: A motion was made by Smith, seconded by Dearing, to approve resolution #2017-13, a Resolution Accepting Easement for Roadway. Motion carried unanimously. (See Schedule A Legal Description of Easement attached to Minutes.)

Requests to be on the Agenda:

1. None

Other Business:

1. Planning and Zoning Administrator's Report: Reviewed.

Application: Final plat approval of "Bruggeman Additions"

Applicant: Steve & Kelly Bruggeman

Proposal: Steve Bruggeman has applied for final plat approval from Corinna Township for their preliminary plat of "Bruggeman Addition" – a two-lot plat on and near Cedar Lake.

The Town Board approved the preliminary plat on June 15, 2017 with no specific conditions of approval. The standard requirements for a final plat, as noted below, still apply.

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.
 - **Staff Finding:** The final plat conforms substantially to that of the preliminary plat.
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" = 40' 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 Otto & Associates. The surveyor's license number is No. 40062.
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. 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:
 - **Staff Finding:** No improvements were necessary or required as a condition of this approval.
6. **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 Opinion, which has been submitted to the Township Attorney for review. Ultimately, the applicant is required to submit a Title Opinion to Wright County, as required by the County Attorney's Office and the County Attorney's office will also need to approve the final plat before it can be recorded.
7. **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:** Staff is not aware of any new private covenants. The applicant has not provided any such restrictions.
8. **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:** See finding under #6 above.

A motion was made by Smith, seconded by Carlson to approve the final plat and conditional use permit for a two-lot subdivision, as proposed. Motion carried unanimously.

Application: Final plat approval of "Gordon Addition"

Applicant: Judith Bryan

Proposal: Judith Bryan has applied for final plat approval from Corinna Township for their preliminary plat of "Gordon Addition" – a three-lot plat on and near Indian Lake.

The Town Board approved the preliminary plat on April 4, 2017 with the following conditions of approval:

1. That sufficient right of way for a turnaround (as determined by the Town Board) at the end of Grunwald Avenue NW be dedicated as part of the plat.

- a. NOTE: The revised preliminary plat shows a "T" turnaround at the north end of Grunwald Ave NW. Is this of sufficient size and in an acceptable location?
2. That the landowners must proceed with the cleanup of the property until it meets the requirements of the Corinna Township Land Use Ordinance (or other applicable regulations) or has otherwise been approved by the Town Board. This must be completed prior to final plat approval.

- a. NOTE: The applicant's realtor notes that the site has been cleaned up. Staff has taken some photos from the road, but recommends the Town Board members view the site themselves to determine if it is adequately cleaned up.

The ordinance requirements for outdoor storage include:

702. EXTERIOR STORAGE

In residential districts, all materials and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following: laundry drying and recreational equipment, construction and landscaping materials and equipment currently (within a period of thirty-six (36) hours) being used on the premises, agricultural equipment and materials if these are used or intended for use on the premises, off-street parking of licensed and operable passenger automobiles and pick-up trucks. Personal boats and unoccupied trailers, less than twenty (20) feet in length and a licensed recreational vehicle less than 40 feet in length, are permissible if stored in the rear yard more than ten (10) feet from the property line. Existing uses shall comply with this provision within twelve (12) months following enactment of this Ordinance.

In all districts, the Township Board may require a Conditional Use Permit for any exterior storage if it is

Demonstrated that such storage is a hazard to the public health, safety, convenience, morals, or has a depreciating effect upon nearby property values, or impairs scenic views, or constitutes threat to living amenities.

AND

703. REFUSE

In all districts, all waste material, debris, refuse, or garbage shall be kept in an enclosed building or properly contained in a closed container designed for such purposes. The owner of vacant land shall be responsible for keeping such land free of refuse. Existing uses shall comply with this provision within six (6) months following enactment of this Ordinance.

Except as provided below or specifically permitted, outdoor storage of inoperative or unlicensed vehicles, boats, recreational vehicles, farm implements and other machinery or vehicle parts shall be considered refuse. One unlicensed or inoperative passenger vehicle or truck may be parked within setbacks in the rear yard of any residential district or any lot ten acres or less in size for a period not to exceed thirty (30) days; inoperative shall mean incapable of movement under their own power and in need of repairs or junk yard. In the Agricultural District, on lots larger than ten acres in size, exterior storage of not more than two (2) unlicensed or inoperable vehicles or machines shall be permitted provided no repair or dismantling business takes place and the storage area is completely screened and not visible from any other property or public road at all times of the year. All exterior storage not included as a permitted accessory use, a permitted use, or included as part of a conditional use permit, or otherwise permitted by provisions of this Ordinance shall be considered as refuse.

3. That a compliance inspection be completed on any existing septic systems on the property by May 15, 2017. Failure to submit septic compliance reports by May 15, 2017 will result in a deadline of 9 months from May 15, 2017 to complete the installation of a new septic system. Permits to install the replacement sewer must be obtained prior to final plat approval.

- a. NOTE: The applicant has submitted a design for a replacement sewer system to serve the primary dwelling on the lot. In discussions with their realtor, they will be paying the \$300 permit fee sometime before the July 5 meeting.

The secondary dwelling on the lot (the mobile home) is indicated as "to be removed" on the sewer design for the main home. The Board will need to discuss whether it wants this mobile

home removed prior to granting final plat approval. If the mobile home is to remain, it would need a new sewer system or indications that the existing sewer system is compliant.

4. All lots must have two drain field sites each.

- a. NOTE: The applicant has previously provided documentation showing two sewer sites per lot.

. The standard requirements for a final plat, as noted below, also apply.

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.

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.

- o **Staff Finding:** The final plat has been submitted at a scale of 1" = 100' 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.

- o **Staff Finding:** The final plat has been prepared by Otto & Associates (Craig A. Wensmann). The surveyor's license number is No. 47466.

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.

- o **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. 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:

- o **Staff Finding:** No improvements were necessary or required as a condition of this approval.

6. **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.)

- o **Staff Finding:** The applicant has provided a Title Commitment, which has been submitted to the Township Attorney for review. Ultimately, the applicant is required to submit a Title Opinion to Wright County, as required by the County Attorney's Office and the County Attorney's office will also need to approve the final plat before it can be recorded.

7. **Covenants:** Any restrictive covenants, subdivision agreements, declarations of restriction or certificates of transfer of development rights shall be submitted with the final plat.

- o **Staff Finding:** Staff is not aware of any new private covenants. The applicant has not provided any such restrictions.

8. **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.

- o **Staff Finding:** See finding under #6 above and the notes regarding compliance with the conditions of preliminary plat approval. The Town Board will need to:

- Confirm that the site has been adequately cleaned up of refuse and other materials being stored outdoors;
 - Decide whether the mobile home needs to be removed prior to final plat approval;
 - Confirm that it is satisfied with the review of the Title Commitment, or defer to the County Attorney on that matter.

The board discussed that there has been a lot of clean up, however, they would like to see the removal of the fish houses down by the lake and that the mobile home needs to be removed prior to final plat approval. The board ask that the Clerk talk with the Township Attorney about what could be done to tear down the home and assess the taxes. Bryan was in favor of having the township proceed to see if they could do that.

Smith made a motion to table the final plat approval until the mobile home is removed and work on the removal of the fish houses. Dearing seconded the motion. Motion carried unanimously.

2. Scott Deckert Letter of 7/21/16 regarding Failing Septic at PID#206-000-331102; Deckert E-mail of 9/14/16: Deckert will start process again, per Deckert E-mail of 4/7/2017.
3. 7500 State Highway 55 NW – Letter of 4/7/2017 regarding Garbage to Joseph Hannon: No action taken.
4. Corinna Letter of 5/11/17 to Olson Regarding Dilapidated Fence at 11597 89th ST NW, PID# 206-062-000111: No action taken.
5. Cemetery Fence and Sign: No action taken.
6. Junk Clean-Up Day: Sat., July 29, 7:30 AM – noon. Reviewed workers.

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

Information on File:


Office of the State Auditor: E-Updates of 6/16/17 and 6/23/17 were reviewed.

Payment of Claims:

A motion was made by Smith, seconded by Carlson, to approve Direct Deposit Payroll JE 2017-038 through JE 2017-040 (Miller Welle Heiser Payroll Service); Payroll Checks #1067 through #1073 (Miller Welle Heiser Payroll Service); Check # 20622 through Check #20640 in the amount of \$89,455.03. Motion carried unanimously.

A motion was made by Smith, seconded by Carlson, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 8:08 p.m.

Respectfully submitted,


Jean Just, Deputy Clerk/Treasurer

July 18, 2017


John Dearing, Chairman