

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
July 10, 2018
7:00 PM

Guck called meeting to order at 7:00pm on July 10, 2018

Board of Adjustment/Planning Commission Members Present: Trish Taylor, Larry Smith, Dick Naaktgeboren, Al Guck, Steve Niklaus, Bill Arendt, Ben Oleson (Zoning Administrator)

Absent: Barry Schultz

Others in Attendance:

Additions or Deletions to the Agenda; Smith made a motion to approve the agenda. Taylor seconded the motion. Motion approved unanimously

Public Hearings

Request for approvals related to the construction of a four-tier boulder retaining wall on a steep slope. Approvals include a conditional use permit for the movement of greater than 50 cubic yards of material with potential for erosion.

Applicant: Dan Mahr

Property address: 8071 Greer Ave NW, Maple Lake

Sect-Twp-Range: 24-121-27

Parcel number(s): 206020001010

Present: Dan Mahr, Jerry from JK Landscaping

Mahr: There is a retaining wall at top, it is still there but needs to do something to make sure it does not fall. Would like to make it manageable to maintain.

Oleson: Took new pictures this afternoon, which are on your screens. Put some new sod down at the bottom.

Audience: None

Oleson: Reason for the request is that is more than 50 cu yards of material that will be moved around. Dan had at one point trying to stay under the 50 cu yards, however, we already had the notice out.

Mahr: The wall is about ½ of the lot width which is about 50ft.

Oleson: You have the stairway there also. Generally this is about controlling the erosion and stabilizing everything. In the DNR rules is not changing look of the lot keeping things natural. Soil and water made a comment of trees getting cut down over the years.

Oleson: Do you have plans on planning some trees in there?

Mahr: Yes some short shrubs, pines.

Smith: Do you have plans or are waiting for us to make a guideline for you?

Jerry: You mean for everything or just for the planting?

Smith: I would think that 40 ft wide is about what I would to see and keep some natural and keep it vegetated with the least amount of impact as you can.

Naaktgeboren: I say the same thing, length of wall cut it back. The other thing is the size of rock. Maybe one tier that is not as big.

Jerry: I believe it was about 17ft from bottom of wall to top of wall. We did talk about shortening up a couple of the walls.

Naaktgeboren: The other thing is having the right vegetation.

Niklaus: Runoff from the house is it going to the side of your lot? Is that what is creating some of the erosion?

Mahr: It was some of that when the garage addition was done until the sod was put down.

Niklaus: That's all I have.

Taylor: I agree with the 40ft, I would like to see only 3 tiers to make it more gradual instead of the 4 tiers maybe a lot shrubs & plants. Did you do this without a permit?

Mahr: Yes, I did not realize that I would be over. Ben was out there and told me I needed to get a permit. I saw Jerry and asked if he would come over and help me get something together.

Taylor: Every newsletter indicates you need a permit, so you should have known. My concern is if any of that erosion is going into the lake. We need to make sure that is not happening.

Also, making sure you have a storm water management plan.

Mahr: When we get up near the top, we want to make sure we are keeping them shorter.

Arendt: By having your tiers, does that mean your coverage is going to go down so that you would be less on your impervious coverage?

Oleson: We take half so 50% is impervious.

Arendt: By having the 4 rows @ 40ft would they all start at the stairs?

Mahr: No I think we would start at the other end and go towards the stairs.

Jerry: Actually we could plan for that from the stairs which I think would work better.

Naaktgeboren: What if you stagger the walls?

Mahr: That might work.

Smith: If you look underneath where the wooden stairs were – there was no vegetation. That may be why things started to erode.

Jerry: Maybe we look at the top wall at 50 ft and the bottom wall shortened up to the gully and use rip/rap to stop the washout.

Smith: It is up to you but I am stuck at the 40ft.

Guck: Could you make a pond there, or make the water from the house go somewhere else.

Jerry: You may just create the problem elsewhere. If you do riprap or a creek bed to slow it from going to the lake.

Guck: If you shorten the wall the impervious in lowered so that you stay within the boundaries then I am ok.

Taylor: If we go 45 ft max where would he be on impervious?

Oleson: If you went to 40 or 45 you would be fine with impervious.

Niklaus: How did you get by without a railing on deck?

Mahr: I think it is only 30".

Oleson: Less than 30" you do not need a railing. You could make the motion that he cannot be over 25% impervious and we can figure it out. Or you could just indicate how long it can be.

Smith made a motion to approve Conditional use permit for a land alteration relating to the construction of a four-tier boulder wall on a steep slope involving the movement of greater than 50 cubic yards of material with the following conditions:

1. That the maximum length of the retaining walls be 45 feet.
2. That the maximum total impervious coverage on the lot - after the inclusion of the retaining walls - must not exceed 25%.
3. That the work must be done by a professional landscaper.
4. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
5. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of rainwater from the lot prior to it flowing into the lake. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.
6. If, at any time within five (5) years of the approval of the placement of the fill the Zoning Administrator determines, after consultation with the Wright County SWCD and the landowner, that significant erosion, drainage or other negative impacts from stormwater runoff are occurring as a result of this project, the applicant shall implement best management practices sufficient to mitigate those negative impacts, whether or not such necessary practices were contained in the original or mitigation plan identified in condition #4 and 5 above.

Niklaus seconded the motion. Motion approved unanimously.

Request for approvals related to the construction of a boulder retaining wall, paver patio and other landscaping. Approvals include a conditional use permit for the movement of greater than 50 cubic yards of material.

- i. Applicant: Jonathan Metzger
- ii. Property address: 11023 108th St NW, Annandale
- iii. Sect-Twp-Range: 07-121-27
- iv. Parcel number(s): 206034000021

Present: Jerry- JK Landscaping & Jonathan Metzger

Metzger: We built in 2016 and the grade has always been an issue. With the grade with our place to the neighbors, there is a very steep wall. We are looking at a culvert over there to help with the water and make the neighbors happier and us happier.

Oleson: Again this is a CUP for amount of material being moved. When we first approved this there was a specific elevation that everything was supposed to be at to have flood waters get to the back of the property. I wanted to make sure we were not adding anything that pertained to the conditions we put on back then. We had a survey and a site plan that showed what needed to be done, with berm possibly being installed and the neighbor to the west was concerned. So when I met with Jerry we talked about the fire pit will be built in not elevated so that it should not be a factor for water. There is a swale area where the flood areas should go. They are looking at doing something on the one side due to the steep slope.

Taylor: If the was in a flood plain did you have to have a FEMA report?

Metzger: Yes, I had to have flood insurance, then when the house but we built and fill brought in it was high enough to not have to have the insurance any longer. FEMA was involved.

Smith: It is hard to understand what it will look like until it is done.

Naaktgeboren: If you're going to level it out towards the shed will that slope everything out towards his shed?

Jerry: We talked with the neighbor about leaving some type of impression or a swale depending on what they agree upon. The culvert will be put in about where the grade is at now. You're not going to have a tone of water on that side or slope. We would use a drainpipe so it would not pond up.

Smith: I know at the time we were unsure where that water will go. The idea was to direct towards the township road. It was a natural water way already.

Oleson: If the elevation is still there it will go to the top of the culvert.

Metzger: The neighbor is in the same business as Jerry and they have been talking and making sure they are both on board as to what we should do.

Naaktgeboren: I have a question on the site plan, that green area is that a fill area?

Jerry: No that was not the intent.

Naaktgeboren: What are your elevations?

Jerry: It is not going to change much at all, maybe 6" from the fire pit.

Niklaus: I like the fact that you are working with your neighbor. How much of the water from your house is going to go towards the lake?

Jerry: That is not going to change much.

Naaktgeboren: Is there a drain on the side from the patio?

Metzger: That was from a downspout.

Naaktgeboren: My biggest thing was the elevation.

Smith: So you are going to put a paver circle are you going to cut into the berm?

Jerry: There is a cut out area, I think we had 90 sq ft on there, it is about 10x15, and about 10ft back is there a requirement?

Oleson: Nothing that indicates how far back, there is a 10ft for a water oriented structure.

Smith: I just wanted to check because I would like to make sure we set some kind of guideline. I would think no more that 15ft or under.

Guck: Steps from sand to patio the berm will go away, so the water may come around and get there?

Jerry: That elevation will be high enough to direct it back.

Taylor: I think 12 ft is almost big enough, my biggest concern is that your drainage does not affect the neighbors on either side or not directly running into the lake.

Arendt: I think we have all said the issues with the culvert and water going around the patio. I'm fine with it.

Guck: The only concern in the previous request, is the natural water way and the berm needed to stay there. The water needed to go around the house. If you can swale that area I'm ok.

Taylor: How much fill are you planning on moving?

Jerry: about 80 cu yards for above the culvert and for sand for the gravel.

Oleson: Will the culvert go all the way to the lake or are you cutting it back.

Jerry: Looks like they are fairly close with some rip/rap to slow down the flow of water.

Oleson: If the flood waters come up where will the water come from and go. Have maybe some type of catch basin or stop it back there.

Jerry: I'm thinking stop it back further and possible swale with a catch basin at the bottom of the culvert. We will have to figure out what we can do there.

Oleson: If you were putting a condition on this it would have to be reviewed by me or Soil and Water.

Guck: Should have some type of provision in there to work it out with your neighbor.

Oleson: If you want to make sure that culvert is at the correct elevation you would have to have an as built survey.

Niklaus made a motion to approve the Conditional Use permit request relating to the construction of a boulder wall, paver patio circle and other landscaping involving greater than 50 cubic yards of material with the following conditions:

1. That the maximum width of the beach area as measured along the lakeshore shall be 15 feet.
2. That all elevations be verified at the end of construction so as to be consistent with the plan approved in 2015 as part of the variance and conditional use permit approval.
3. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
4. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of rainwater from the lot prior to it flowing into the lake. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once approved, the plan should be implemented at

the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.

Smith seconded the motion. Motion passed unanimously.

Approve June 12, 2018 Meeting Minutes - Tabled

Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions

Other Business

Discussion - Wright co ordinance amendments - I made copies for you and you can review for the August meeting.

Smith made a motion to adjourn. Taylor seconded the motion. Motion approved unanimously at 8:10 pm