

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
June 12, 2018
7:00 PM

Guck called meeting to order at 7:00pm on May 8, 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: Michaelea Whelan, Peggy Dvorak, Kathleen Laing, Craig Laing, Peggy Connelly, Bill Connelly, Terry & George Schmitz, John LeBlanc, Conor McGrath, Bernie Miller, Matthew Eiyneck, John Jones, Donald Hastings, Marlene Hastings

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 pathway down a steep slope. Approvals required include a conditional use permit for the movement of greater than 50 cubic yards of material.

Applicant: Michaelea Whelan

Property address: 10330 Gulden Ave NW, Maple Lake

Sect-Twp-Range: 12-121-27

Parcel number(s): 206000123205

Present: Michaelea Whelan

Whelan: We would like to make a little cart way down to the lake and have some stairs. We are not asking for a lot, it would be Approximately 450 cubic yards of material being moved. We will use erosion controls with some bio logs and mulch when need and get it done ASAP.

Audience; none

Oleson: The reason for the CUP is because it is more than 50 cu yards of material. So the things we look at are if it will change the drainage pattern, cause issues for the neighbors or the lake, and erosion control. One is the temporary erosion control and then the long term which could be as simple as adding grass. We usually look to Soil and Water district for comments, I have not received anything from them positive or negative. It is rather steep you can see the contours on the map, you can see the bluff area is marked and the remaining area is not in the bluff, however, still steep. Here house is at the top, where it is flat and then slopes down from there, it is long slope which helps with erosion control.

Taylor: How wide is this cart way?

Whelan: Wide enough for a vehicle/ATV to get down to the lake maybe about 12 ft.

Taylor: You're adding some stairs & retaining wall?

Whelan: Yes I think we will where it is steeper for ease of walking. Right now no one wants to go down to the lake because it is hard. We are putting in a grass area, we are not adding any hard surface.

Smith: So there will be no hard surface?

Whelan: No it will stay grass.

Taylor: I can see an ATV but not sure about a vehicle.

Arendt: So the stairs are just part way down and then just grass going down from there?

Whelan: It's about a 4/1 slope and then maybe 5/1.

Niklaus: Obviously erosion control will be your biggest challenge and getting something to grow in there. You may want to look at using crushed granite. My concern is the erosion.

Naaktgeboren: Are you going to do this in stages?

Whelan: I am thinking it will be done in stages and we will have silt fence at the bottom and if we need retaining walls we will have an engineer do those. We are moving what is there.

Naaktgeboren: I just want to make sure erosion control is in place.

Smith: Is there a time frame and could you hold off until maybe later summer or fall so we are not in the heavy rain season and keep it as narrow as possible maybe around the 8ft and less. Erosion control is my concern. I do not have a problem with it otherwise.

Niklaus: Is there some guidelines with what they should be using for erosion such as log roles?

Oleson: We usually rely on the soil & water district, but thinking they would suggest doing bio logs every so often to slow down the water and silt fence at the bottom.

Guck: I do not see an issue, I am thinking you will have to do it in sections.

Naaktgeboren: I have a question on staff recommendation #2, I have an issue with "or within a reasonable time period after construction", should it be at time of construction.

Oleson: This one has to do with permanent stormwater management and depending on what they are doing, such as a rain garden, it would have to be done after construction. What I want to say on all of these conditions is that number one has to do with temporary storm water management, which as you talked about is pretty important for this project. Number two has to do with permanent storm water plan, not sure if it as important other than revegetating everything. You may decide that two through four are not as important. We could consult with soil & water on the temporary storm water management plan.

Naaktgeboren made a motion to approve a conditional use permit for the movement of greater than 50 cubic yards of material with the following conditions:

1. Path to be no wider than 8ft.
2. 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 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.
3. 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.

4. The applicant shall submit a stormwater mitigation plan that identifies additional best management practices that could be taken to address stormwater containment that may be necessary if the fill were to negatively impact the neighboring property or the lake if the approved plan proves to be inadequate.
5. 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 #3 and 4 above. This may include the removal of fill placed during this process to restore an area for flow or detention of water

Taylor seconded the motion.

Discussion was had regarding how wide the path could be and if 8ft. would be wide enough.

Naaktgeboren rescinded condition number one and changed it to a 10ft wide path. Taylor seconded the motion. Motion passed unanimously.

Request for approvals related to the construction of a dwelling and attached garage and a pathway down a steep slope. Approvals required include variances for the structures to be approx. 81 ft from Mink Lake (min. 100 ft required) and 56 ft from the centerline of a township road (min. 65 ft required) and a conditional use permit for constructing a path to the lake that will involve the movement of greater than 50 cubic yards of material.

Applicant: John Jones
Property address: 8066 Greer Ave NW
Sect-Twp-Range: 24-121-27
Parcel number(s): 206000244302

Present: John Jones, Bernie Miller

Jones: I have a small lot and would like to build on it. I was hoping to get a variance to be able to build. It has a steep slope so that I cannot get down to the lake, so would like a 5ft path to get up and down from the lake, I am looking at a small house, I had Bernie Miller come out and work with me on a site plan that makes the most sense for the lot.

Miller: John came to me in January and we has some issues as to where the property lines are. We do have that clarified now. In order to meet the setback it would only be 10ft wide. We kept it back as far as we could. It is not a bluff, we actually have the elevations, working through some title issues and have that approved now. The variance as you look at it, there is no other way to get further back.

Taylor: Is that the only place for a septic system?

Miller: Yes and it is a type 1 sewer system.

Audience: None

Oleson: The two variances involved are the lake set back at 81ft (100ft required) and the road setback at 56 ft. (65ft required). Usually we want to make sure they are 20 feet from the right of way and they do have that. The side yard, and septic are fine. The other aspect of this was the CUP to get a path to the lake if more than 50 cu yards.

Miller: It is under 50 cu yards. It will be 140 ft long path down there 5 ft wide so the total is under 50 cu yards. Basically what we are doing is taking some from one side and putting it on the other side, I did talk with soil and water about it. It would be grass there would be no impervious surface, we would start it to the left so no water from the house would not run down the path. Where it curves we would use erosion blankets, we came up with 26.5 yards of material moved.

Niklaus: Is there a guide line on the septic tanks have to be set back.

Miller: 75 ft and we meet the setback.

Niklaus: I'm good.

Naaktgeboren: The house is tight and moving it closer to the road does not make sense. My only question is on the path on the west side it seems flatter would that be better.

Miller: There is a gully in there and if you look at it if we start on the East we are two feet higher, however would then be two feet lower on the lake side.

Smith: Looks like a good plan and lays out as well as you can get it.

Oleson: They do not need the CUP now that they are under 50 cu yards.

Taylor: I'm good with it.

Arendt: I'm ok with it.

Guck: Looks fine to me.

Arendt made motion to approve variances for the structures to be approx. 81 ft from Mink Lake (min. 100 ft required) and 56 ft from the centerline of a township road (min. 65 ft required) with the following conditions:

1. 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 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.
2. 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.
3. The applicant shall submit a stormwater mitigation plan that identifies additional best management practices that could be taken to address stormwater containment that may be necessary if the fill were to negatively impact the neighboring property or the lake if the approved plan proves to be inadequate.

4. 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 #3 and 4 above. This may include the removal of fill placed during this process to restore an area for flow or detention of water

Naakgeboren seconded the motion. Motion passed unanimously.

Request to rezone property from General Agricultural (AG) to Suburban-Residential (R2).

Applicant: Conor McGrath

Property Owner: True Friends (Camp Friendship)

Property address: 10456 108th St NW, Annandale

Sect-Twp-Range: 5-121-27

Parcel number(s): 206000053313

Present: Conor McGrath

McGrath: asking to rezone from General Ag (AG) to Suburban-Residential (R2) with the opportunity to develop and sell residential lots instead of Agricultural.

Audience:

Klein: We live on Klever right across the street from where this is proposed. We want to know what the plan would be for road improvements with more traffic, dust, etc. Want to make sure the road is improved.

Kathy Laing: I have a question regarding erosion. There are issues with the slope that is why it is no longer farmed. We are worried about fertilizer etc. that could come down to the lake.

Bill Connelly: We have a home on the lake. This development looks like it high density lot sizes. I have a few concerns with this, you have property on both sides of the road, where are the homes going to be, towards lake or woods and where the septic systems are going to go. A development of this density and the impact on the other properties.

Taylor: There is a process they have to go through first, we are here for the re-zoning only. As far as where the houses go that would depend when they go through plotting process. We are here to see if we should rezone from AG to R2.

Oleson: So this is for rezoning. There are multiple steps, from here we make a recommendation to the Town board, and then it would go to the county who would make the final decision. If it is approved to rezone then they would have to apply for subdivision/preliminary plat application which would be another public hearing where you could add conditions. As far as the lot sizes, the application for a 2.5 acre minimum would have to be rezoned to R2, there is also an R2a which would be the 5 acre lots. Based on the lot sizes they are proposing it would have to be and R2 zoning. In term of what we look at and what the County is going to look at, we have a future land use plan and right now this is in the rural preserve area, in some instance we look to cluster homes to preserve farm land. In this case it is not being actively farmed. Wright County has in there plan residential large lot which would be appropriate for residential of some kind. Those are things we look at when deciding on

rezoning. There is some criteria to see if fits, is suitable, is it spot zoning, sewer and water available which are laid out in your staff report.

Smith: The way I look at it looks like it is suitable for residential lots, myself I am in favor of 2.5 acres since if you have larger lots there tends to be issues with maintaining the property.

Naaktgeboren: I agree with Larry, as far as the road, I know there are issues with drainage on the lake lots and I think we need to look at draining towards to the lots during the platting process.

Niklaus: R2 is like a cluster?

Oleson: R2 is 2.5 acres so this would not be clustering, a true clustering would be smaller lots clustered on a portion of the land and leaving the rest of the land open space. They did ask for R2a, however, with the size lots you would be recommending R2.

Niklaus: So they could put up any type of house?

Oleson: Yes as long as they meet the guidelines for setbacks etc.

Don Hastings: We have a cottage, the lake benefits from a 50x100 grass spillway that comes between lots 1 & 2. I would encourage that some type of retention pond to keep that spillway in place.

Taylor: My biggest concern with this is with the drainage going over to Bass Lake. You are keeping the 21 acres?

McGrath: We would still be using that for activities. One thing to clarify, these lots will go up at fair market value we are not looking to sell to a developer.

Arendt: I am fine with it.

Guck: The reason it's not farmed?

McGrath: I am not sure, could be complications with leasing with non-profit organization.

Naaktgeboren made a motion to recommend approval to rezone property from General Agricultural (AG) to Suburban-Residential (R2).

Smith seconded the motion. Motion passed unanimously.

Taylor made a motion to Approve May 8, 2018 Meeting Minutes with a few clerical changes.

Smith seconded the motion. Motion approved unanimously.

Zoning Administrator's Report

- Permits

- Correspondence

- Enforcement Actions

- Findings of Fact - Previous PC/BOA Decisions

Other Business

Discussion - Wright co ordinance amendments for the school. We had tabled it for more information. I have some information, I talked to the school & with Sean Riley. They passed it and then repealed in 2020 - if we were to adopt this ordinance not sure if they applied if it wouldn't go away. I still do not have clarification on that. Once I get clarification we can discuss further.

Guck made a motion to adjourn. Smith seconded the motion. Motion approved unanimously at 8:27 pm

