

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
May 8, 2018
7:00 PM

Guck called meeting to order at 7:00pm on May 8, 2018

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

Others in Attendance: Amanda & Eric Lenarz, Rory & Kim Norgren, bob & Joann Milligan, Jim Dearing, Darwin Hoffman, Steve

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

Public Hearings

(Tabled from April meeting) Conditional use/land alteration permit related to the placement of approx. 200 cu yds of fill on the subject lots.

Applicant: Rick and Melissa Riesgraf

Property address: 11831 Gulden Ave NW

Sect-Twp-Range: 1-121-27

Parcel number(s): 206086001140, 206086001150, 206086001160, 206000012101

Purpose: Fill in low spots and even out yards

Present: Rick & Melissa Riesgraf

Riesgraf: Since we are were hear we have talked with Wright County soil & water and they would like us to hold off until on the one low spot until we determine if is or is not a wet land. We have agreed that we will put up a line in that area and will not put any fill in that area. So we will amend the request.

Oleson: It will not change any drainage pattern. The elevations were shot and everything will drain as it would hope to. For now we are dealing with the fill up the hill and nothing else.

Audience: None

Guck: Does that change the request?

Oleson: It would be change the staff report slightly. It will still be 200 cu yards of fill just not on the east lot.

Naaktgeboren: It is not in the wetland they could fill it?

Oleson: It would not be an issue for Soil & Water at that point.

Naaktgeboren: Is there a culvert?

Riesgraf: The Township is putting in a culvert and they have shot the elevations to make sure it running the correct way.

Smith: Did they give you any kind of time line?

Riesgraf: It is on us if we want to do anymore with it?

Niklaus: How much would you need to fill it in?

Riesgraf: I'm figuring maybe another 200 but not sure.

Niklaus: The culvert that is out there is going where?

Riesgraf: It is going west and east across the road. Everyone seems to know that the culvert was there so they feel that they should put that culvert back in.

Schultz: I'm good with it.

Taylor: I'm good if it is not affecting the neighbors and soil & water is fine.

Arendt: I agree if soil & water is ok with it.

Guck: I do not see a problem with it.

Naaktgeboren: Are you going to pile the dirt or level it

Riesgraf: I will level out.

Smith made a motion to approve Conditional use/land alteration permit related to the placement of approx. 200 cu yds of fill on the lots on the west side of the road to even out the yard with following conditions:

1. That no fill shall be allowed in the lowest area near the road and not on the applicants lot on the east side of the road. Any fill in these area is subject to Wetland Conservation Act regulations and shall require a separate permit application if it is determined that it can be filled.
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 the area of disturbance and the road and neighboring property to the west, seeding of all disturbed areas and installation of erosion control blankets as identified in the submitted erosion control plan, or as otherwise recommended by Wright County SWCD and/or approved by the Zoning Administrator.
3. The applicant shall implement 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 runoff from the site prior to it flowing onto the township road and/or the neighboring property to the east. These may include directing rain gutters to appropriate areas, rain barrels, 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.
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. Motion passed unanimously.

(Tabled from April meeting) Variance to construct a 2nd story addition to an existing 24' x 48' dwelling with 8' x 12' porch approx. 56 ft from Clearwater Lake (min. 75 ft required) and 7 ft and 13 ft from the side lot lines (min. 15 ft required).

Applicant: Dean and Marilyn Woodford

Property address: 9599 Jeske Ave, Annandale

Sect-Twp-Range: 16-121-27

Parcel number(s): 206031000300

Present: Dean & Marilyn Woodford

Woodford: I had engineering firm from St. Cloud come out and he said the footings are adequate to support a second story as proposed.

Audience: We have a question – Justin Ahlstrom property to the north. My father in-law asked about verifying the lot line. Also, wondering about the front porch and adding the footings. The final question is if septic is approved for a four bedroom house.

Oleson: I did have a few emails regarding the side yard setback and wondering if it was really that far. The site plan does indicate they are approximate as it is not a survey.

Woodford: Otto & Assoc. were out from buffalo and he has the orange tags where the stakes are located. I do have stakes where those are so if you did a site visit you would see them. They did not do a certificate of survey. The retaining wall is on our property.

Oleson: To address the other two questions, the additional footings under the porch is up to you if you are allowing for them. It is not a second story it is just railing. The sizing of the septic system, they are not planning to have a 4th bedroom.

Woodford: We are planning on having only 3 bedrooms.

Taylor: As long as we have the engineer's letter I am fine. I want to make sure it does not move any closer to lot line or the lake. No living quarters above the porch.

Niklaus: Retaining wall you own that and seems to be having some issues, if you lose that retaining wall you are going to have problems.

Woodford: We are going to be fixing that.

Niklaus: Is there any setback requirements for the deep well from the lake?

Oleson: Not in our ordinance, but I believe the state does.

Smith: I feel pretty comfortable now that you have the engineering response.

Naaktgeboren: I agree with Larry, however the retaining wall needs to be fixed.

Schultz: I am good with it and we should add the retaining wall as a condition.

Arendt: I am fine also with the fixing of the wall.

Guck: The only thing I have is that you do not have proper drawings or a survey which would have been nice to have. I do not have an issues since it is on the same footprint.

Taylor motion to approve Variance to construct a 2nd story addition to an existing 24' x 48' dwelling with 8' x 12' porch approx. 56 ft from Clearwater Lake (min. 75 ft required) and 7 ft and 13 ft from the side lot lines (min. 15 ft required) with the following conditions:

1. That the lowest floor of the dwelling meets all floodplain elevation requirements.

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 (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.
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. That the retaining wall on the side of the home shall be replaced after completion of the house addition.
5. That the addition of the second story shall not decrease the side yard setbacks.
6. That the additions shall result in no more than three (3) bedrooms for the entire dwelling.

Schultz seconded the motion. Motion carried unanimously.

Conditional use/land alteration permit related to the movement of approx. 450 cubic yards of material in a shoreland district.

Applicant: True Friends (Camp Courage)

Property address: 8046 83rd St NW, Maple Lake

Sect-Twp-Range: 22-121-27

Parcel number(s): 206000224100

Purpose: Stormwater management and replacement of a paved walkway/access path

Present: Anna Grabau, John LeBlanc

Grabau: Regarding around the dining hall it will eliminate water that is going in the building to go around the building. It is graded and there is not a curb in front of the building so we are adding curb to force it to go around the building since it currently goes down into the basement.

Oleson: This reason for the CUP since it is more than 50 cubic yards of fill. Oleson pulled up pictures of the location. Will it continue to follow the path down?

Anna: It will come along the north side of the path and then go to a catch basin and go to a culvert to drain the water. The one to the right we would replace with grass/rip rap.

Guck: Who was it drawn by?

Anna: ISD out of Mankato is who did the drawing.

Smith: The material that is being taken out where is that going or how will that work.

Anna: There will be some that will come in from elsewhere and some that will be moved from on site.

Smith: Looks like it is a good plan.

Audience: None.

Oleson: We do have one email from Soil & Water with one change which they are doing.

Schultz: Will that be a cement curb? Will you have to raise the tar?

Anna: Yes it will be cement, no we will not have to raise the tar.

Taylor: Nice plan I would like to make sure the water to the lake is filtered with not a lot of run off.

Arendt: I like it, lots of filters, so this is a great plan

Niklaus: Significant improvement from the way it is now.

Naaktgeboren: When do you plan to have this done?

Anna: As soon as possible.

Guck: I'm good with it.

Schultz approve Conditional Use/Land Alteration permit for the movement of approx. 450 cubic yards of material in a shoreland district for stormwater management and replacement of a paved walkway/access path with the following conditions:

1. That the erosion and sedimentation control identified in the submitted plans be implemented both during and after construction.
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.

Smith seconded the motion. Motion approved unanimously.

Variance(s) related to the construction of a new dwelling and attached garage. Variances requested include the construction being located approx. 13.5 ft from a side lot line (min. 15 ft required) and resulting in building coverage of 15.7% (max. 15% allowed).

Applicant: Trevor L & Sarah S Gunderson

Property address: None

Sect-Twp-Range: 11-121-27

Parcel number(s): 206071001020

Present: Trevor & Sarah Gunderson, Heath Burris

Gunderson: We would like to build a new house and looking for 13 ½ feet on one side, just with the bump out area so it breaks it up a little. We talked to the neighbor and he was fine with it.

Burris: As the builder and developer I have worked a lot in the watershed districts, regarding the side yard setback there are a lot of properties were not at 15 ft, and I realize that you may not have granted all of them, however, don't feel the 13.5 ft is inconsistent with others on the lake. This house to the right the closest point is about 6 ft, the house to the left is about 20- 25 feet. I don't think that what we are proposing is out of characteristic or overbearing to either of the properties. After looking at the staff review we did look at putting the bump out on the other side or to center the house, a third thought was to remove the 1 ft. bump out which is there for more of a look. As far as the Impervious and building coverage. After doing the site plan the building coverage is at 15.6% so we are only 6/10th over the building and we are still at 25% for impervious. I did look at what the county describes as their intent and purpose of the building and impervious coverage and it conflicts a little with the staff notes. The intent and purpose of the ordinance they have 6 points that have to do with or environmental reason. If we look at where we are at under on the 25% but over slightly on the building, and what we are proposing our environmental impact is only at 13.8 on house which would bring us at 23.2 overall. This is always a challenge, what we're proposing is since we are .6 over we would give two times back by creating storm water management plan with a French drain. So ironically approving that part of the variance is better than the current regulations. I did talk with Ben about this, we did not do the design yet, however, and we would have an engineer design to prove that we would take the additional volume of water and put somewhere else. There was one other note was the landscaping we did not do a design yet however, any additional would be environmentally friendly.

Audience: none

Oleson: Couple of things to clarify to make sure everyone is on the same page. The building coverage is anything with a roof, house, garage, covered porch, boat house. Imperious is any additional walkways, driveways. There would not be any poly or things allowed since that would be impervious too.

Burris: The covered patio would be impervious pavers under it.

Oleson: So that is where we are at with that. They have argued the environmental impact with their storm water management plan. I know this board as tried to stick with the building/impervious coverage especially with new construction. If you are ok with mitigation part and they are staying under the 25% we can talk about that. A new septic system will be put in and the circle drive will be gone.

Smith: I'm not in favor of building a new home on a lot that is pushing the side yard setback and maximizing that lot right away. With the size of house that you are putting on there you are limiting what you can do in the future. It concerns me that you are using every inch space and I would like to see something scaled back so we are not having another variance in the future.

Niklaus: I agree, I think it is beautiful large lot, I think when building new you should be able to meet the ordinances rather than maximizing everything right away. I would not be in favor.

Naaktgeboren: The question I would have could you go at looking to the other side with the bump out. As the others have said you are maxed out and you are already a hair over. You will need every environmental thing you can do. We do not want the water running to the lake. You talk about a French drain, do you did a hole and fill with rock?

Keith: That is how it is designed, we find out how much water will drain and the absorption rate. We would have to base it on the reasonable amount of time they have been used and studied.

Naaktgeboren: You go two doors down you have areas that hold water year round. You have to take care of the water and I feel you have to be down to 15% & 25%.

Gunderson: We could move it back towards the road to make the driveway shorter reducing the impervious.

Taylor: Are you set on the boat house? That could bring you down to below the 15%. You couldn't even put in a fire pit with paving around it. So my thought there is no room for improvement in the future.

Gunderson: We thought it was a larger than it is.

Taylor: That's why you should have had a survey done.

Gunderson: We did originally measure from the lake and is narrower in the middle.

Taylor: We have been sticklers on new construction meeting setbacks.

Arendt: I feel they have to get down to 15%, if you take out the bump out it helps with the 15%.

Guck: I think with new construction that it needs to be done right and stay within the ordinance.

Burris: It's disappointing that you are not taking into consideration the water management that we would be doing and we have proven that we can mitigate to get below that.

Guck: I'm just saying that if we allow this side yard setback, the next person that comes in we would have to allow.

Smith made a motion to deny the Variance(s) related to the construction of a new dwelling and attached garage. Variances requested include the construction being located approx. 13.5 ft from a side lot line (min. 15 ft required) and resulting in building coverage of 15.7% (max. 15% allowed). Arendt seconded the motion. Motion carried unanimously.

Conditional use permit/land alteration permit related to the movement of approx. 476 cubic yards of material in a shoreland district.

Applicant: Todd Hodnefield

Property Owner: Robert N Shadduck QPR Trust

Property address: 8877 State Hwy 24 NW, Annandale

Sect-Twp-Range: 21-121-27

Parcel number(s): 206000211201

Purpose: Landscaping around a new in-ground pool

Present: Todd Hoduefield, Marlin Hemmerding

Hoduefield: They would like to build a pool they are looking at removing the deck and putting an in ground pool in. The elevation we would like to increase it about a foot so that water does not drain off the roof line so that it comes down at a gentle slope. We would like not put a retaining filed.

Audience: None.

Oleson: This is a CUP for bringing more than 50 cu yards, there are couple things we talked about with the septic and wells are located.

Hoduefield: Explained where the septic & well are and would verify where they are to ensure they will not be impacted.

Oleson: The only other thing there is a lower area and not in the flood plain area, other than that is about fill and erosion control.

Taylor: One of my questions is when they empty the pool with all the chemicals, where are they going to empty it?

Hemmerding: Water in the pool last 7-10 years, so it would not be emptied every year. We would neutralize the pool and bring the chemical levels down to zero. (Explained the process)

Taylor: I'm still concerned about chemicals going to the lake.

Arendt: What do you do in the fall when you have drain the pool part way?

Hemmerding: Typically with this type of pool we would not drain, we use special plugs.

Niklaus: Do we have something that says where the water goes? Does the DNR agree with you? Is there any concern with the patio and pavers as far as coverage?

Oleson: There is no ordinance to say where the water goes when drained and as far as impervious they are going to fine.

Smith: Looks nice, it looks like it goes into pond area?

Hoduefield: It circulates and comes back to the pool, it's like a water fall.

Naaktgeboren: You are not in the flood plain?

Hoduefield: No we are not and we are over 100ft from the lake. I would have to shoot the elevation off the lake, however, guessing we are 2-3ft above. But we will verify that.

Naaktgeboren: How high up are you going?

Hoduefield: Approximately 5 ft at the highest spot. So about 2-3ft of excavation in that entire area.

Niklaus: Do you need fencing?

Hemmerding: They can do an auto cover rather than fence. Which is allowed.

Schultz: Will the patio around the pool be about the same as the house?

Todd: It will be above the house elevation.

Taylor: Since the house has an existing septic that appears to be in the area of the proposed excavation would you move it?

Hoduefield: We will reroute it if we have too. We will be verifying that with a septic designer.

Guck: My only concern was how close you are to the lake.

Hoduefield: We are approximately 135ft from the lake.

Guck: I do not see a problem with it.

Taylor: Who will maintain the water to make sure the water is neutralized?

Hemmerding: We will be maintaining the pool.

Smith motion to approve Conditional use permit to move greater than 50 cubic yards of material (approx. 476 cubic yards) in a shoreland zoning district for landscaping around a new in-ground pool 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 (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.
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.

Schultz seconded the motion. Motion approved unanimously.

Variance(s) related to the replacement of an existing garage and construction of a dwelling addition. Variances requested include the construction being located approx. 30 ft from the centerline of a Township road (min. 65 ft required) and approx. 8 feet from a side lot line (min. 15 ft required).

Applicant: Darwin Hoffman

Property Owner: Todd Anderson

Property address: 11523 Lathrop Ave NW, Annandale

Sect-Twp-Range: 5-121-27

Parcel number(s): 206000052310

Present: Darwin Hoffman & Todd Anderson

Hoffman: We have an existing garage there, we are looking at replacing the garage in the same spot and adding on from the garage to the house. So we are not going any closer to the side yard or to the road.

Audience: None

Oleson: The two variances are the side yard at 10ft, which is fine now, however, once they attach it to the house then it becomes a 15ft setback. The road is 33.7 to Lathrop Ave, it is no closer than what is there now. The main question is since the garage is being torn down could it be moved away from the property line, there is some question with the well which needs to be 3ft away.

Naaktgeboren: The road is maintained and it is not a 66ft road right of way. Looks like you have room to park so that should not be an issue. My question was, why not move the garage, however, I do see the issue with the well. Another thought was bringing closer to the house.

Hoffman: We thought it was further away until the survey was done. We did bump it back some to make sure we were staying where it was.

Smith: I know in front of garage you have an angle that is 33ft from the road, in front of that garage you would have a hard time getting one vehicle parked there?

Anderson: There is more room than what the picture shows.

Smith: Maybe get closer to the house to give a little more room?

Niklaus: I don't have anything.

Schultz: I don't know what else they can do.

Taylor: Can I ask what the addition is going to be used for.

Hoffman: There goal is to attach the garage to the house, there will be a stairway, part of a bathroom, closet.

Taylor: Has the septic been checked?

Anderson: Yes just this last year there was a new tank put in.

Taylor: I wish there was a way to cut it down a little bit, however, you are building over the same footprint and you have the well issue.

Hoffman: It makes it a small garage and we have already taken off 8 ft.

Arendt: They are constrained by what is there, I am fine with it.

Guck: I am fine you did as much as you could.

Taylor made a motion to approve Variance to replace an existing garage and construct a dwelling addition to attach the existing dwelling and new garage. Garage to be within the side yard and road setbacks with the following conditions:

1. That the additions be no closer than 10 feet to the side lot line.
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 (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.
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.

Schultz seconded the motion. Motion carried unanimously.

Request to rezone property from General Agriculture (AG) to Suburban Residential (a) (R-2a).

Applicant: Perry J Puncochar

Property address: 8121 Gowan Ave NW, Maple Lake

Sect-Twp-Range: 24-121-27

Parcel number(s): 206000244401

Present: Perry Puncochar

Puncochar: I have been farming since 1986 and never needed a feedlot permit, the ordinance went into effect in 1998. In the last year now the problem started with the tile line that drains into the lake. Supposedly there is some bacteria running into the lake, I have not seen any lab papers or anything. MN pollution control & USDA has been out the last couple of weeks. I'm not trying to pollute the lake, just make a living like I have for the past 30 some years. I am thinking it might just be best if I lot it off and move my operation to another location. I would like to rezone and plot it off.

Audience: Dan Hinrichs: I am the Chairman of the board for the Lake Association. I do have the lab results from the E.coli testing that was done last year. There has been a lot of concern with the health related issues that are going on there, the situation with the ducks and the hose that is running water to them, the duck feces is sort of like grease gun, there is water and it slopes down where there was soy beans last year, sandpiper in there that had a yellow cover that keeps debris from going in there and it was removed last summer. Also, with the smell of the

ducks and the water going into the lake we started wondering what was going on. We want to get the contaminates from going into the lake, if rezoning is what will do that would be great, we want to make sure there will be no more farming of ducks or pheasants. However, if there is anything that would allow that we do not want to see that. Are any of these lots being added to the current farm and if so would farming be allowed?

Oleson: If the rezoning was approved then he would have to apply for a sub-division to split it off. If it is rezoned to R-2a it is a 5 acre minimum, if R-2 would be 2.5 acre minimum.

Hinrichs: My concern is if the home site has an additional 4.7 acres would they still be allowed to have a pheasant farm. It has a sand pipe which could also be running into the lake and we do not want that.

Sandy Braun: I live on Mink Lake around the corner from lot 1. I am looking at the property and it looks like there could be multiple homes built on that and personally we just bought in 2009 and we bought it because it's quite and relaxing there. I don't know that I would want more houses built by us. Everything Dan said is true, the lake is contaminated and it is not good. I don't think it can be solved by him getting biggest bang for the buck by rezoning.

Daren Braun: I am opposed to rezoning to have a suburb out there. I also do not want him polluting the lake anymore. I am concerned for anyone swimming in there right now.

Tom Troolin, I live right off the road across from the property. I think we have only heard part of the story right now. He could rezone and not do anything or he could sell them off into five pieces and each one could have a home. If I'm reading this correctly if there are permitted uses at the time of a subdivision that could be grandfathered in so could the buyer or could Perry continue to have agriculture use? Are we still facing the same issues? We would need to know before the fact what the final impact of this property. I have no issues with one home per 5 acres. What is the long term plan can we make sure that there is not going to be continued concern with farming.

Taylor: I do understand what you are saying, we do not make the ultimate decision, this would only be a recommendation to move on.

Mahr: If it is rezoned to R-2a, What are the rules?

Linda Lewison: I have lived there since 1978 and when bought that the culvert was right next to our property and that is the sand pipe that is close to 80th. We had corn and different things going in there and was beautiful, we had a raft and could swim. Now it is only 3 ft deep it is full of muck and fecal matter. In 2014 he tied into more so and brown pours out of there. I was told that Wright County would not allow a second tier of homes by the lake anymore. Number one that culvert needs to be gone. The E.coli is at 240,000 which is unheard of. Someone has to do something. I understand you want to earn a living but at the risk of so many others. That culvert has to be gone.

Hinrichs: For clarification, the culvert she is referring to is the drain tile, which comes out in a galvanized tile.

Naaktgeboren: I would like to know where the drain tile are, catch basins and where it runs into the lake.

Linda Lewison: It comes down the middle of the property next to mine, the small strip of land. It comes from the farm where the pheasants are and there is one other one.

John Jones: I am on the very end lot. I have heard about all the issues in there. Everything has been said. I'm all for having 5 acre lots on that property. I think that will help the issue.

Sandy Cullip - I came here in 2011 and are at the end of the cul-de-sac. We had to apply for a variance, and had conditions to be able to build. Can you not put conditions on this when it goes to the County? I don't think it's unreasonable to put conditions on it.

Hinrichs: Handed the board a copy of results from samples taken from the drain tile.

Mahr: One more thing, you were talking about pool chemicals going into lake, this is animal feces going into the lake every day.

Troolin: Are you aware of the letter on January 30th from Wright County Planning and zoning indicating what would need to be done to bring the property back into compliance, which was taking down some of the pheasant pens that were not permitted.

Tom Spaulding: I think what is before us now is if we should rezone and I would like to approve the plan to rezone.

Oleson: The request is to rezone, normally when we don't have concerns about pollution we look at how it fits into the plan. The Township & County both have a plan of what we see for future land zoning. How the process works is that we give our recommendation to the Town Board and the Town Board will give their recommendation to the County Planning Commission and they give their recommendation to the County Board who has the final authority. So even if you recommend not to re-zone the County Board would still have the final say. In terms of the land use plan, the township looks at this area as a rural residential area which is intended to allow for some housing, however, encourages a cluster development. The County plan it identifies it as just AG. Our plan allows for a denser number of homes, however, it could be rezoned if circumstances are unique or special. This is going to the county and they will make the final issue. The feed lot concerns, I was first notified with the January letter from Wright County. My understanding is that this is there process and they are handling that. As part of that it indicates they need to meet the manure management plan. I think part of your decision tonight is to understand the concern about pollution is that connected to rezoning or is that a separate issue that needs to be addressed. In terms of suitability for development and homes in this area, there is two things that I would raise, one is that there is a map of wetlands of the east side of this property, the soil & water would have to look at during the sub-division discussion, the other thing is the soil types are limited in there term of basements. They do talk about how that can be addressed with fill. Pollution is either a separate issue, or can there be conditions added. You have to be careful to add conditions when rezoning since we have to make sure that the conditions are related to the application.

Taylor: So my understanding is, let's say we could recommend that it go to R-2 can we say without any AG use?

Oleson: I would say that kind of condition would be put on a plat rather than a rezoning.

Taylor: We could recommend that it goes to the Township Board, and they could push it onto the County for making the final decision.

Oleson: Technically they could go to the County without our recommendation, however, they do look for what our recommendation would be. Just to clarify the request was for rezoning to R-2(a), not that you couldn't change that to R-2, but that is what is requested.

Guck: Under that zoning are there some limitation as to what they can have for animals?

Oleson: With R-2 & R-2(a) does allow for continued farm if it was prior to the sub-division. Other than that it is a different part of the ordinance, it is a maximum density of 1/2 lb per acre and they would be subject to feed lot limitations, I do not have those details that is handled by the County.

Naaktgeboren: What is the feedlot limitation?

Oleson: The current is 1000ft from the lake, there could be some existing ones.

Naaktgeboren: I'm going off what Trish said and the Town Board could add conditions also, correct.

Oleson: Yes that is correct.

Hinrichs: Just wanted to comment on the 1000 ft from the lake for a new feedlot. My understanding is that Perry has not had a feedlot permit and has been flying under the radar all these years.

Oleson: I am not sure this is Tracy's area, all I have is based on her letter.

Niklaus: A lot of this is out of our jurisdiction. There are obviously issues that need to be looked at. I don't think that is something we can control. In terms of not wanting to live in suburbia, these types of lots are not suburbia and I would be in favor of re-zoning.

Smith: I am in favor of recommending the approval of re-zoning.

Naaktgeboren: I agree them, you may have to change how the lots look due to elevations. One question is the log going down to the lake, who ones that?

Puncochar: I do and we would attach that to lot 2.

Naaktgeboren: Have you had any permitting from Wright County.

Puncochar: No I do not. Since the ordinance started in 1998 Tracy told me that I did not have enough animal units. There was no need for a feedlot permit. Last fall in September and October Tracy came out with the paperwork for the feedlot. We walked around and went over everything added up the animal units and I was at 98.5 and she indicated I could have 100 animal units. At that time she said we are under compliance. She did not take into consideration that the majority of my land is within 1000 ft of the lake. When your within 1000 ft of the lake your animal unit goes down to 10 not 100. Now she did realize that and has changed the number of animal units.

Naaktgeboren: I would be in favor of rezoning. We do not deal with feed lots that is with the County.

Schultz: Is there a culvert going down to the lake?

Puncochar: There is a tile going down to the lake. That was there when I bought the property.

Schultz: I don't know if dividing up the lots will solve the issue.

Taylor: I understand the concerns we are looking and rezoning from AG to R-2(a) only thing we can do is make the recommendation.

Arendt: It is tough issue, what is before us is if we should rezone.

Guck: I agree.

Smith: My biggest concern is once you stop water from going from somewhere it has to go elsewhere. Right now we have to work with what's before us.

Smith made a motion to make a recommendation to approve the rezoning from General Agriculture to Suburban Residential R-2a. Schultz seconded the motion. Motion approved unanimously.

From here it will go to the town board which will be next Tuesday June 19th. From there Puncochar will have to apply to Wright County.

Amendments to the Corinna Township Land Use Ordinance related to allowing for schools in the General Agriculture (AG) district as per recent amendments to the Wright County Zoning Ordinance.

Applicant: Corinna Township Planning Commission.

Oleson: This is Land Use Ordinance amendment related to allowing schools in the General Agriculture district. They were here and approved for an interim use permit for three years. They went to Wright County to change the Land Use Ordinance to allow for permanent change that would allow for a school in the General Ag. District. What they passed was an ordinance that allows for that and put some conditions on that and restrictions as far as where they can be and what they can do. So now it is up to you if you want to adopt this ordinance or not since you can be more restrictive. When they passed this they put a repealer on it so would go away in June 2020 and revert back to the way it was. My understanding is that if someone were to apply prior to 2020 and it was approved it would be valid and it would be grandfathered in. The kind of conditions they put on this is located on the second page of the ordinance.

Niklaus: If I understand this we can be more restrictive, however, not more restrictive.

Oleson: Correct, we could say that we will not allow them, however, we could not say that we will allow them without some of the restrictions that the County has put on there.

Niklaus: There are charter schools all over Wright County, it really gets to be a land use thing. Looking at it from the Corinna Township Board of Adjustments, it seems we are making it exclusive to just this one with all the restrictions that are put on it, I think if we are going to open it up we should open it up to all of them. This is very unusual.

Naaktgeboren: Are we gaining anything if we already gave them the interim until that time. I do not understand the repealer at all.

The board discussed getting more information from Wright County on what the repealer means and if they apply prior to 2020 will they be allowed to keep the school or will they have to reapply?

Taylor made a motion to table in order to get additional information from Wright County. Smith seconded the motion. Motion carried unanimously.

Schultz made a motion to Approve April 10, 2018 Meeting Minutes. Arendt seconded the motion. Motion approved unanimously.

Zoning Administrator's Report

- Permits
- Correspondence
- Enforcement Actions
- Findings of Fact - Previous PC/BOA Decisions

Other Business

- Discussion - Erosion protection requirements and enforcement
- Review of previously granted variance requests (if time allows)

Taylor made a motion to adjourn. Arendt seconded the motion. Motion approved unanimously at 9:33pm90