

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
April 9, 2019
7:00 PM

Guck called meeting to order at 7:00pm on April 9, 2019

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

Absent: Barry Schultz

Other in Attendance: Andrew & Lori Roos, David Fitzsimons, Jerry MacMillan, Jeremy Young, Andy Stahlman, Ryan Pederson, Even Carlson, Mark & Deb Miller, Roy Miller, Mike Miller, Glenn Baird, Liz Baird, Tim Young, John Dearing

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

Public Hearings

(Tabled from February 2019 meeting) Requests related to the construction of an 886 sq ft dwelling with 10' x 12' screen porch and 4' x 12' covered entry to replace an existing dwelling and detached garage. Approvals required include variances for the construction of a dwelling approx. 50 ft from Clearwater Lake (min. 75 ft required), 11.2 ft from a side lot line (min. 15 ft required) and within a bluff (min. 30 ft setback required) and a variance to have building coverage of approx. 15.8% (max. 15% allowed).

Applicant: Ryan and Jamie Pederson
Property address: 10083 Jeske Ave NW
Sect-Twp-Range: 9-121-27
Parcel number(s): 206000093409

Present: Ryan Pederson

Pederson: Builder had a family issue and could not make it so I am alone tonight. From the last meeting there were things you asked us to do. First was getting the cabin to be under the 15% hard cover, with the new drawing we did do that. We shifted the southwest to get to 12ft on the north property line. We did move it off the bluff from where it was last time. We identified a gravel parking area if we decided to do that. If you look on there the builder did put in some swales for drainage so that we can keep the water on our property. We will be doing the erosion control as requested. You asked to reach out to our neighboring properties, we talked to both and were very supportive.

Oleson: He summarized it well. They did cut down the Northside porch to get under 15% for building coverage and moved everything back a little bit. The screen porch would be further than it was and the rest of the house is further back. The stairway would be moved and doing the calculations they will be under 15% & 25%. In terms of the of storm water management, they do have the swales on the plan, you could require more if you want. In terms of the sewer agreement we do have that, the way it is set up, the sewer is on the lot to the North if the

Pederson's decide to back out, meaning they are going to put their own sewer in, they could do that with a 30day notice. There is also a separate well agreement which is on the Pederson's property and is the written the same kind of language. In all practicality that would not happen since neither lot has the room to get a septic in without variances. I did have as a condition to provide a location for a septic if needed, however, I no longer feel that is necessary.

Audience: None

Niklaus: I had some concerns with the septic to begin with and that has been answered. Just want to make sure you watch the erosion since you are close to the bluff. You have met everything we asked so I am good.

Naaktgeboren: You did what we asked you to do. I appreciate that and have no issues.

Smith: I'm glad you moved it back. I am good with it.

Arendt: I am fine with it I share Steve's concern to make sure you watch the erosion of the bluff.

Guck: That is my concern also and just want to make sure that you take care of the bluff and erosion during construction. Otherwise I am fine with it.

Arendt made a motion to approve Variances for the construction of an 894 square feet dwelling with 10' x 14' screen porch to replace an existing dwelling and detached garage/guest cabin approximately 57 feet from Clearwater Lake (min. 75 feet required), 9.7 feet from the south side lot line and 12 feet from the north side lot line (min. 15 feet required), about 42 feet from the centerline of a township road (min. 65 feet required) and within a bluff (min. 30 feet setback required) with the following conditions:

1. That any future additions of impervious surfaces (steps to the lake, walkways, driving surfaces, parking surfaces, patios, etc.) require a complete accounting of impervious coverage to ensure that the 25% maximum allowed is not exceeded.
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.

Niklaus seconded the motion. Motion passed unanimously.

Requests related to the construction of a community solar garden consisting of approximately 7,000 panels on approx. 8 acres of land. Approvals required include an interim use permit for the construction of a solar energy farm.

Applicant: IPS Solar

Property Owner: Corwyn and Hazel Schueler

Property address: None

Sect-Twp-Range: 9-121-27

Parcel number(s): 206000092401

Present: Evan Carlson, Andy Sullivan with IPS Solar

Carlson: We are from Roseville and have been around since 1991, we are oldest in the state of MN. In the past we have done a lot of commercial and residential projects, in 2013 when the state passed this rule for community solar we got into that business. We have done more of these type of projects than any other developer. It is important to us do a good job and make sure everyone is happy so we can continue to do business in the state. We as a developer are responsible to find a site that work, we lease the land from the land owner, we pay to build everything and then we put a watt of power into the grid, we get a bill credit from Xcel for that amount of power. We sell that credit to another Xcel customer to offset their bill, the pay less for that bill credit than they would on their bill. The equipment is pretty straight forward. You may have seen some bigger ones, you used to be able to push 5 megawatt solar gardens right next to each other and that is why you would see those pole gardens. This is maximum of three poles could be reduced to two. We did another one in Wright County and that one was reduced to two poles. The array is just something you pound into the ground. There is a rack that goes on the beam and the panel goes on the rack. Underneath the array to prevent the erosion we do a pollinated feed mix. The lease is for 25 years with two options to renew for 5 years for a maximum of 35 years. Our agreement with Xcel is for 25 years. When the term is up we dismantle, if the panel still produces power they will be sold otherwise recycled. The racking system would get re-used and the beams would be recycled. We propose a 7ft chain link fence around the farm, there is some flexibility as to what that looks like. There is not a lot of flexibility as to the location, we explored other options of location, and tried to push it back further but were not able to. We pay Xcel to see what needs to be done, we rely on them to let us know if we have a viable project or not. We do know that there are other's looking to do a solar project in the area. We want feedback to make it better. For us we can only build one of these within a mile of each other so we will not be coming back to do another. That is Xcel's rules.

Oleson: Just as an update, originally they were going to put in the back north east corner, they have moved it closer to the road to save on building a service road, it is now in the south west corner of the property. In terms of the ordinance there are number of things that are required. One of the main ones that has come is the screening area this one is a little different than the other two since there is some natural screening on the west side, and the north end. On the east and the south there is no tree coverage. Township road is to the south and there is one neighbor to the east. The one that was approved a few months ago is a little further down the road. It is less populated than other areas. Other than that they have not proposed any screening other than what is there naturally. You could either table or approve with approved screening being part of the building permit process. Other things that come into play is any potential damage to the township road during construction, there are some limits on the number of power poles that can be used. This is an interim use and the max is 30 years, however, you mentioned your 25 years with Xcel. We point we do have a provision in our

ordinance right now, that if the zoning changes in such a way that a solar farm is not allowed anymore, you would have two years to stop and remove the solar farm. I know that is a concern for solar farms. We are looking into that.

Audience: Mike Miller – this is from the one a month ago; The planning commission denies the proposed solar farm due to the finding that the proposed interim use would be injurious to the use and enjoyment of other property in the immediate vicinity – particularly for those residences living on 105th Street NW accessed via Keats Ave NW – due to the lack of sufficient screening, the proximity to Keats Ave NW and the resulting diminishment of property values that would likely to occur. These are your words, I would vote for a no. I would look at this everyday so that is what I am asking.

Roy Miller: I am the house to the east. I would like some screening or something to block the view.

Naaktgeboren: Tell me why it was moved from the back to the front?

Carlson: The back was our first choice. Our engineer told us we had to move it or it is a done deal due to the expense. The connection to the grid would be too far away. I am understanding of the screening to the east. If there is a screening requirement we will work that out. We like to work with neighbor to see if they want to do their own screening and we can work out a deal. Screening is usually pines and maybe some dogwood. I like to look at alternative is you want a screening plan.

Naaktgeboren: I feel there should be screening along the road also. Other question is in your report you talk about est. of 125% for decommissioning cost, I believe we have 150%. You hve a dollar amount of \$50,000 how do you arrive at that amount?

Sullivan: Basically we hire an engineering company to come up with what the cost would be to remove it all. The amount can range from a negative amount to something much higher, there is nothing 100% on this, you are guessing what it is going to cost 25 years into the future. I feel \$50,000 is on the high end for a 1 megawatt farm.

Naaktgeboren: Can you look at it being reviewed every 5 years?

Sullivan: Yes.

Naaktgeboren: Is there a financial incentive to you to produce this with Xcel?

Sullivan: The income comes from the subscribers that purchase the power for 25 years. Those subscribers tend to be school districts, municipalities, they make good subscribers since they have to stay an Xcel customer for 25 years and they don't move.

Carlson: There is tax credit for companies that are for profit.

Niklaus: Screening is a big issue for me. You said you cannot build within a mile, how many other companies are there? Is there going to continue to be others asking for solar farms?

Sullivan: There are about 3 companies, maybe 4 that are active in MN. Under the current rights, we applied for this project in 2018 and the rates change every year. Because the margin is so thin, it is unlikely another one can come in. We are at the tail end of capacity.

Carlson: There are limits on the sub-station so some have been denied.

Niklaus: With the margins getting so thin does that affect the screening & the quality of it?

Sullivan: Moving the location did play a part, since we wanted to keep it to the back, we have not thought about the screening.

Niklaus: I think it has to be good type screening not something that is going to die off in a year.

Naaktgeboren: I feel there should be screening on the south and the east.

Niklaus: I like that the owner to the east should have a say on what type of screening.

Smith: Talk to me a little about 2 or 3 power poles, how is that decided?

Sullivan: We prefer two poles, however, it has to do with the engineering that goes on with Xcel.

Smith: I have seen a few with a whole cluster of poles and I do not like that. I am not for solar, I do not feel it's a beneficial situation. If there was to be one there I feel it needs screening. Your indicating there is not much room left on the grid. There is one on the other side of the road and if you do one is there room for another one?

Sullivan: I am not sure, I'm thinking it will depend on who got there first. We already have approval so if we are there first I'm not sure if they would be allowed. If they are not approved not sure they will be.

Smith: Are you going to Annandale?

Sullivan: It goes to a distribution cycle like water in a sprinkler system. It is not a direct line to the sub-station, we connect to the three phase line. We are just pushing more electric into the line. We have monitors out there keeping track of things, we have engineers go out to check things a few times a year and we mow it twice a year.

Smith: Did you go to any of the neighbors ahead of time?

Sullivan: We did not, my understanding is that the land owner did have some conversations.

Smith: What size panels?

Sullivan: These are shorter than the normal. There are two types, stick systems that are 3ft off the ground 10ft at its max height, face the south and go from east to west. We are proposing a tracker system they are lower to the ground, they go from north to south and tilt with the sun and are about 6-7 ft at the highest point.

Oleson: I thought you had mentioned higher?

Sullivan: We did change that.

Arendt: With the \$50,000, is that a bond?

Sullivan: Yes that is what we usually do.

Arendt: That would have to be adjusted every five years. Would you do a bond for the road also?

Sullivan: Yes we could do the same thing.

Guck: On page 11 it talks about storm water management, do you have anything yet?

Sullivan: We have nothing yet, however, we will do a full review of that and resolve any issues with that. We usually do that during the building permit process.

Guck: With the first site you had it push back, now your right up against the trees. Wouldn't the amount of energy you may lose offset the price to build a road to the back?

Carlson: It's the cost of bringing the power lines across the field and we do not feel that the trees will cast that much of a shadow on the panels.

Smith: Miller has an irrigator pivot there, any discussion regarding that? Is there a lease with the owner?

Miller: We had one with Charlene, but not with the new owner.

Niklaus made a motion to table the request until we receive a full screening for the south and east side or an agreement with the neighbor.

Sullivan: Could we just propose a screening plan, they are so ambiguous at this time. It is going to be two rows of tree's staggered apart along the south and east unless we work something out with the neighbor. Trees are usually 6ft and are usually black spruce.

Smith seconded the motion to table. Motion passed unanimously.

Requests related to constructing a screen porch addition to the existing dwelling and replacement of the roof as well as making repairs to an existing boathouse.

Approvals required include variances for the construction of a dwelling addition approx. 50 ft from Sugar Lake (min. 75 ft required) on a dwelling that has a 4.8 ft side yard setback (min. 15 ft required).

Applicant: Andrew and Lori Roos

Property address: 11329 Hollister Ave NW

Sect-Twp-Range: 2-121-27

Parcel number(s): 206056004150

Present: Andy & Lori Roos

Roos: We want to add a screen porch onto the small cabin that we bought. We want to keep it in line with the lake side of the cabin and go out further than the existing porch that is there that's not covered right now. Keeping the same hip roof we would go out 12 ft and approximately 18ft back on the roof line. The second part had to do with the boat house, we put the information in there to make sure we could do what we wanted. Sounds like this would not need a variance since it will not be higher than 10ft. So it looks like we are only talking about the house. The existing slant is low so what we would do is to tear it off and change the roof pitch to make it the same as the rest of the cabin. It will all be hand framed.

Oleson: The issues are the lake set back is about 52 ft, road is fine, the setback to the potential drainfield, they are not doing that right now, would be a little under the 20ft and we can administratively approve that. The addition that is being attached to the cabin does meet the setback. Because this is a holding tank they cannot add any living space, this is ok as long as it stays a screen porch. The boat house does not need a variance.

Audience: None

Smith: I do not have a problem with it.

Naaktgeboren: When figuring this lot are we looking at just the lake side as far as square footage.

Oleson: Yes, they do have the lot across the road and it is not figured into the calculations.

Naaktgeboren: Is this going to be a slab on grade with no footings?

Roos: Just a cement slab.

Naaktgeboren: Is there any way you could to get off the lake a little?

Roos: The issues is the window is about 1ft in and would be where you would want to put it.

Naaktgeboren: I'm ok with it.

Niklaus: I think they did a nice job, no issues.

Arendt: I have a question regarding the north side of that boat house that appears to be a gully.

Roos: Yes we do need to take care of that and plan on doing that this spring.

Naaktgeboren: The bank is something you will want to take care of.

Roos: That is why we want to take care of the boat house.

Naaktgeboren: Ben do they work with you?

Oleson: I would also want them to work with soil and water.

Guck: My only question was taking care of the water, so I am good.

Smith made a motion to approve variances to construct a screen porch addition to the existing dwelling and replacement of the roof approximately 50 feet from Sugar Lake (minimum. 75 feet required) on a dwelling that has a 4.8 foot side yard setback (minimum 15 feet 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 (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.

Naaktgeboren seconded the motion. Motion approved unanimously.

Requests relating to the replacement of an existing one-story dwelling with a new one-story dwelling with vaulted ceilings further from the lake and an open lakeside deck. Approvals required include variances to construct a dwelling addition on a home served by a holding tank and located approx. 0 feet from the ordinary high water level (OHWL) of Indian Lake (min. 100 feet required) and approx. 10 ft. from the right-of-way of a township road cul-de-sac (min. 25 ft required).

Applicant: David FitzSimmons

Property address: 11032 Guildner Ave NW, Maple Lake

Sect-Twp-Range: 1-121-27

Parcel number(s): 206047001080

Present: David Fitzsimons & Jeremy Young

FitzSimmons: On the plus side it is further the lake and it is better on impervious. On the negative side there are issues everywhere we move it. Originally I was just going redo what is there and even out some of the angles that are there and do it within the general foot print. That led me to the DNR to see what could be done, which started out as nothing and let too they would not be opposed if I rebuilt and moved everything back behind the ordinary high water mark (OHW). On Indian it is much different from where it is and where you think it is. I received some great history lessons. Unfortunately it starts to squeeze everything else so gets very difficult. I tried to come up with a possible solution, as much as we could. I do plan to eliminate the patio and take the deck down to 6ft. That pulls the impervious coverage down to 936 from 1318. That still puts it at 30% impervious coverage. About 1/2 of lot I do not get to take into consideration, if I did not have to count the OHW, I would be at 15% coverage and 12% for building coverage.

Oleson: This is tough one with the OHW. On the survey you can see it currently goes through the house. He is going to move it back so it is out of the OHW. My staff report was off, you have mentioned the proposed patio would be removed.

FitzSimmons: Yes

Oleson: We have talked about this before Indian lake has an extra high watermark. Once you are below the OHW your in DNR jurisdiction. This came to us last fall and we tabled because he had to work with DNR. Their comment was it is out of the OHW and that's about what we can expect. The impervious coverage now is 41% outside of the OHW, it would go down to 36.2% with removing the patio and smaller deck it would be lower than that. The holding tanks would be moved, and the shed would be removed. I did talk to the townships road maintenance men and one of the town board members, they both have concerns with being so close to the road and parking on the cul-de-sac. There is that concern. So we are looking at lake setback, road setback, side yards are being met. Impervious coverage, however, there are not many options, I did mention a few options. If you push it one way it creates another issue. It is one of those interesting puzzles.

Audience: None

Naaktgeboren: The water was that high in 1925, that is why it was set that high, in my life time it has not come up that high. He is jumping every hoop he can and he has already removed some items to improve his impervious, parking is an issue but there is not room. There is prior to planning and zoning with these small lots. I would like to have something better than what he has now, it is not ideal but is better. I'm good with it.

FitzSimmons: My two neighbors do have a parking pads and they have allowed me to park there when it snows. I do try to make sure I am out of the way.

Naaktgeboren: All of the houses have issues, he is trying to do something to make it better.

Niklaus: I give you credit, you spent a lot of time with this. Is holding tank at the high watermark?

FitzSimmons: No the well is within now will be move and the tanks will get further away from the lake.

Niklaus: I think you have done everything you can.

Arendt: I am fine, with it was the deck smaller and with the patio gone I'm ok.

Guck: I think getting it as far from the lake as possible would be good.

FitzSimmons: I looked at long time what was best.

Smith: If you were to rebuild in the same foot print, could you do that?

FitzSimmons: Possibly.

Oleson: It is different when you are dealing with the DNR.

FitzSimmons: With them it would have to be exactly to the same thing and I wanted to bring it closer to conformity.

Smith: I'm good with it.

Naaktgeboren moved to approve the variances to construct a new 768 square foot dwelling with a 6' x 32' open deck on the lake side of the home. New home to be located no closer than 6.8 feet to the right-of-way of the cul-de-sac, no closer than 11.3 feet from the right of way of the township road and no closer than 6 feet from the ordinary high water level (OHWL) of Indian Lake. Proposed deck to be located no closer than 0 feet from the ordinary high water level (OHWL) of Indian Lake. Impervious coverage to be reduced to 30.14% as per proposal and building coverage to be 24.1% 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.

Smith seconded the motion. Motion passed unanimously.

Requests related to the adjustment of lot lines to rearrange and combine five existing parcels into two new parcels. Approvals required include approval of a lot line adjustment involving nonconforming lots in a shoreland district.

Applicant: Young & Brown LLC

Owner: GAP Holdings, LLC

Property address: 8948 State Highway 24 NW, Annandale

Sect-Twp-Range: 16 and 21-121-27

Parcel number(s): 206000211100, 206000211101, 206000222200, 206000222202 and 206000164402

Present: Tim Young

Young: I am here on behalf of GAP Holdings, which are the initials of the late Gerald Paulsen. Bob Shadduck is the president of GAP Holdings. I am here on behalf of that family. There was a proposed sale that fell through due to some title issues involving the multiple parcels. As part of my inquiry of how these properties lay together, I asked Ben to fill me in as what kind of entitlements and what lots of records were existing. For reasons that are lost in history, the yellow is one parcel and the orange is one. The triangle to the lower right has the same tax # as the house. So we are looking for a lot line adjustment. One to the west will be the Clearwater lake lot and one lot to the east would be Cedar Lake. There are no changes in the use, no more building entitlements. This is prior to doing a quiet title to clean up the legal descriptions. No changes in roads, no changes in use.

Oleson: This is just a lot line adjustment. Generally we are looking to make sure we are not making anything worse. This seems to all be getting better. Both lots are large enough to accommodate a septic system and road frontage. No concerns that I can see.

Audience: None

Niklaus made a motion to approve the lot line adjustment to combine five existing parcels into two new parcels. Naaktgeboren seconded the motion.

Discussion: Naaktgeboren asked where the 5 that are part of the request with two entitlements. Oleson pointed out the lots on the map

Oleson: There are two entitlements. There would be about 27 & 30 acres.

Motion passed unanimously.

Requests related to enclosing an existing 10' x 12' covered porch area, constructing a new 8' x 30' covered deck and creating an 8' x 13' covered stair/entry. Approvals required include variances for the construction of a dwelling addition and covered deck addition to a dwelling that is approx. 61 ft from Cedar Lake (min. 75 ft required) on a dwelling that has a 12.7 ft side yard setback (min. 15 ft required).

Applicant: Glenn and Elizabeth Baird

Property address: 7298 Isaak Ave NW

Sect-Twp-Range: 27-121-27

Parcel number(s): 206068000080 and 206000274201

Present: Glenn & Elizabeth Baird

Baird: We are requesting to enclose a porch 10x12 area. There are three different roof lines back there and what we want to do is that little valley is a real snow load problem. It was three different buildings and added on to several times. What we want to do is take out the stairs and tear out the three tier garden and then come out from the house 8ft with the roof line so that we can eliminate the snow load. The trusses would span from the existing to the new covered deck. The come out with a 4/12 pitch with two sets of stairs. All of this is away from the lake. We are currently over impervious by 1.9% and we are requesting variance based upon removing 1100 sq ft of existing deck, patio and adding new covered porch, and stairs and new paved walk way. We have gravel walk ways around the house, around the driveway down towards lake and up towards the hill. When we bought the house that was all a bad runoff area, which was muddy and nothing grew there. We added the gravel walk way, it does a great job of stopping the runoff and the water soaks through there. I know the definition of impervious and pervious varies so I am asking to be able to keep the gravel walk way since it is controlling the erosion. I need about 1.9% variance to get to the 25%. So wondering if we could get a 25% credit on the gravel walkway to come in under the 25%.

Oleson: This is situation that the additions itself meets the setback, however, the house itself does not meet the setbacks. We have a situation where they are over impervious, he is asking for credit. They are not adding impervious since everything is being built over already impervious coverage. This is a little different than pavers where we can give credit if done correctly.

Audience: None

Niklaus: I do not have a problem with it, most of the drainage comes back away from the lake on this property. The crushed granite is soaking in.

Naaktgeboren: Are we different from the county?

Oleson: We are the same of them as far as what we give credit on.

Naaktgeboren: Will septic need to be compliant?

Oleson: The building inspectors do review the septic as part of construction.

Baird: The septic was new in 2008.

Naaktgeboren: Everything he is covering is already covered and he is reducing a little which is a plus.

Smith: How much would it take to get to the 25%?

Oleson: About 562 sq. ft.

Smith: It would be nice to get down to that, not sure how you would do that.

Baird: If we could some type of credit for the part of the gravel walkway. That way we would not have to do any digging up of anything. If we have to, I would opt to not tear up anything. I would have to cover up 90 ft long to come up with 585 sq ft.

Arendt: I think the plan is good and I like the gravel to the lake since it helps with erosion. If you took that area 90ft long area what would you do there.

Mrs. Baird: Put in dirt and add some grass, however, not sure that would be an enhancement or that it would drain any differently.

Oleson: If it was a gravel driveway you would have tear up all the gravel. This is a little different in that it is not a driveway.

Niklaus: you right it may look a little different, however to get within the 25% may be necessary.

Baird: I would like to keep, since it is stopping the erosion.

Arendt: I am thinking more siding with Baird's in that trying to take 500sq ft to change the gravel to grass when the gravel works better and looks better. The impervious is going from 28 to 26.9 so I'm ok leaving like it is.

Guck: You are going through the effort to get it done right. I'm ok with it.

Niklaus made a motion to approve variances for the enclosing of an existing 10' x 12' covered porch area, constructing a new 8' x 30' covered deck and creating an 8' x 13' covered stair/entry. All additions to be on a dwelling that is approx. 61 ft from Cedar Lake and 12.7 ft from the north side lot line 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.

Arendt second the motion. Motion approve 4 - 1 with Smith opposed.

Naaktgeboren made a motion to approve the March 13, 2019 meeting minutes. Smith seconded the motion. Motion carried unanimously.

Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Findings of Fact – Previous PC/BOA Decisions: Need to approve the solar farm one that was denied. Niklaus made a motion to approve the findings of fact for Bass Gardens LLC. Arendt second the motion. Motion approved unanimously.

Dahlberg approval last month one of the conditions was to provide a survey to show the impervious afterwards. I made an error on the calculations of the impervious coverage, he would be down to 22% not the close to the 25% that I was thinking, looks like I did double count some of the garage. The question is does he still need to get that survey since the condition was based on a mistake. If you are ok with it I would not make him get the survey. I am confident that it is close to the 22%.

Niklaus made a motion to not require the survey due to the fact that he is down at the 22% for impervious coverage. Smith seconded the motion. Motion approved unanimously.

Other Business

Discussion of Solar Farm Regulations:

Oleson: Short time line here we adopted the ordinance over a year ago, the first application was in February, second in March and now this one in April. The discussion at the town board is that they wanted you as the planning commission to look into if the ordinance is what we want it to be. Do we need to do something different to deal with neighboring areas or deal with the potential loss of prime farm land or whatever else you think is appropriate. Some ideas to discuss is should there be more restrictions in a residential or lakeshore areas. At the last town board meeting they went a step further and passed a moratorium for any further applications. So the temporary hold is until we can look at the ordinance and make changes if needed. It can be for up to a year but it does not have to be that long. We also have the issue with the 2 year expiration on interim permits and how that will affect solar farms differently than other interim use permits. I am looking for your thoughts. The discussion would be if you want to make changes and what do those changes look like. After that the next step would be for me to draft something up for a public hearing. The companies we have worked with expressed interest in having discussions and answering questions you may have.

Sullivan: We are not normally in favor of a moratorium, however, we would like to see a change to the two year expiration in the ordinance. That is an issue for us since we cannot finance a project with the idea the zoning could change and we would have to remove the solar farm in less than the 15-25 years. We would not pull the trigger until that is gone.

Guck: What other kind of push backs or comments are you getting on these?

Sullivan: The primary comment is I do not want to look at it and I get that, we do what we can to hide it. There are lots of myth's out there, prime farm land we do get that once in a while, however, we are talking 5 – 8 acres at a time. It is such a small amount of the land.

Oleson: is this only in Xcel territory that there is a demand for these?

Sullivan: Community solar is only Xcel. Other utilities can do solar projects.

Oleson: I think the general offer is from Nikomas Energy and another company that has offered, I guess the question is do you want that help? Do you want to set up a meeting with a list of questions ahead of time to get some of these answers? Is it a sub-committee of this group and the Town board? I can also do some research. What I'm getting from other communities, is

that it is a little bit all over the board as to how they are dealing with it. Some have done partial moratorium. . Stearns County there was some initial concern, however, they have enough of them now that they are ok with them.

Sullivan: I was on the advisory committee with Wright County. They did some changes and are one of the most restrictive. At the end of the day it comes down to I do not want to look at it.

There was discussion with the board & IPS Solar and decided that they will set up a sub-committee with two Planning Commission members & one Board member. Naaktgeboren & Guck from the Planning Commission. They will have a preliminary meeting on Tuesday April 16th at the regular town board meeting. Once they meet they will set up a time to invite the solar companies.

Smith made a motion to adjourn. Arendt seconded the motion. Motion approved unanimously at 9:42 pm

Prepared by Jean Just