

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
June 11, 2019
7:00 PM

Guck called meeting to order at 7:00pm on June 11, 2019

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

Absent: Barry Schultz

Others in Attendance: Andy Stahlman, Dave & Debbie Daniels, William Dudley, Mary Barrick, John Behnke, Eric Friauf, Jill Jackson, Hazel Schueler, Cory Schueler, Jade Schueler, Pat Gustafson, Paul Gustafson, Tim Pippo, Lee Hennen, Sue Hadler, Betty Gulweg, Dave Hadler, Sue Fogal, John Fogal, Pete Edmonson, Ed Goff, Bernie Miller, Steve Huesman, Tim Gettlen, Laurie Knudson, Kyle Knudson, Diane Wiltermuth, Jackie Alexander, Paul Steffens, Lisa Daniel, Guy Wilder, Judy Grathim

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

Public Hearings

(Tabled from April 9 and May 14 meeting) 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: Cory and Hazel Schueler

Property address: None

Sec/Twp/Range: 9-121-27

Parcel number(s): 206000092401

Present: Cory Schueler & Evan Carlson

Carlson: We have been through this in the two previous meetings this is our third time here. We have discussed what it looks like and the board asked us to return with an additional site plan showing screening through the entire South, East and North side of the array, we have done that. We actually showing two plans one showing a lighter screening & one with a more intense screening. We have also done a computer rendering showing different directions. IT shows that a few areas do not need additional screening since there is already screening on the north side, this gives you a more visual look showing that. We also learned that the parcel was a former gravel pit and with my conversation with the County in other areas there has been a strong preference to have solar on properties that have had other operations such as a gravel pit.

Schueler: The comprehensive plan from my understanding the portion of the property along 24 calls for commercial zoning. In looking to purchase this property that was part of our plan to

develop it for a commercial property. When the opportunity came up with the solar farm we started looking at that end too.

Carlson: In order to get this project done today we need to get the project approved and then after that we need to see about altering the ordinance. There are three sections of ordinance 507.4 that would prohibit the building of a solar farm or any other enterprise in the township. It says that 5 years from initial application of an interim use permit the applicant needs to re-apply and the applicant also needs to reapply within 24 months of any zoning ordinance change or if there was a sale say from Cory to someone else. Any of those things are likely to occur, we need to borrow money to get it done, and in order to borrow money we need to be in business long enough to pay it back. If this is not changed it is going to prohibit any one to borrow money. So our hope is to receive an interim and to have changes to the ordinance.

Schueler: The property use to be one parcel and the garden center was split off. The garden center runs on a conditional use or interim use, does that have to be renewed every five years? It seems like it should have been.

Oleson: The Garden Center was issued under a Conditional Use by the County a while ago so it would not be under the current rules.

Carlson: We feel we have provided everything you have asked for and are following the ordinance and provided adequate of screening which you can make a condition to it. We feel the first plan is the best plan since there is already screening to the north.

Audience: Laurie Knutson: Just as a home owner that is interested in solar going forward and as a realtor and former appraiser. I do see how this would hurt going forward. Coming to other meetings where people were opposed to cell phone towers and knowing that progression had to happen they were allowed. Solar is another growth and I really think this good for our township and of more solar farms.

Oleson: Nothing new except for the new screening plan. Outside of that it is still in the same location and everything else is the same.

Naaktgeboren made a motion to close the public hearing. Smith seconded it. Motion approved.

Naaktgeboren: I like the screening proposal, going to the north is not an issue as going to the south or the east. Even one row of trees would be nice on the east all the way up.

Carlson: We have one with a single row or one with a double row. You could ask for two rows on two sides if you would like.

Naaktgeboren: On the north side I do not feel that you need to go more than one row on the north. You have a berm and trees that screen the north. The other thing is we have a permit pending to the south and the reason is we have not seen a screening plan yet.

Niklaus: The problem I had initially is you did not have screening and I thought was objectionable. I thought it could be done better and I agree that the north side does not need screening.

Smith: I am to the thought that screening is on all side. I would like three rows on 3 sides.

Arendt: I feel that 3 rows to the south and east, not sure that we need more than one on the north.

Guck: Is there one excel pole added?

Carlson: Yes

Guck: I too like the screening plan. I thought the neighbor would be here.

Carlson: We did meet with him, he did say he was ok with plan A which is screening to the south and partial east. Hopefully we cannot do to the north. There are trees to the north and a berm.

Smith: I feel screening on all sides.

Schueler: The north end tree line not considered screening?

Smith: I look at that tree line could be removed.

There was additional discussion as to where trees needed to be added and what was already on the property as natural screening.

Naaktgeboren made the motion to approve Interim use permit for the construction of a solar energy farm involving approximately 7,000 solar panels on approximately 8 acres of land with the following conditions:

1. All requirements of the Township land use ordinance shall be met.
2. The applicant shall install screening that will plant two rows of coniferous trees on the entire south and east sides, one row of mixed in dogwood shrubs along the entire south and east sides, and one row of coniferous trees along the entire north side, within 30 days of installation of the solar panels or by September 15, 2019 - whichever is sooner, unless otherwise approved by the Planning Commission.
3. The applicant shall meet all stormwater requirements of the state and as recommended by the Wright County SWCD office.
4. The applicant shall provide a financial security in an amount acceptable to the Corinna Town Board to ensure restoration of 105th Street NW to its pre-construction condition. This security shall remain in effect until all construction activities have ceased and/or the Town Board has agreed that the security is no longer necessary.
5. The applicant shall provide a financial security as required by the ordinance for decommissioning of the site. The amount shall be subject to annual review by the Township and based on reasonable estimates of the cost to remove the materials from the site. Estimates for removal costs may be obtained by the Township and the costs of providing such estimate passed on to the applicant/landowner.
6. The final utility interconnection design and approval must be submitted to the Township before the building permit can be issued.
7. The use requires a building entitlement to exist. As of today, the use is allowed due to a dwelling already existing on the property. Should the dwelling ever be removed, the solar farm will continue to use the entitlement and no other entitlements exist on the property.
8. The interim use permit shall be valid for thirty (30) years, unless an amendment to the Zoning Ordinance is adopted which no longer allows the use as an interim or permitted use, in which case the use shall cease within 24 months of the amendment being adopted (as per Section 507.4 of the Corinna Township Land Use Ordinance).

Niklaus seconded the motion. Motion approved 4-1 with Smith opposed.

(Tabled from May 14, 2019 meeting) Amendment to various parts of Section 6 (Zoning Districts and District Provisions) and Section 762 (Solar Energy Farms and Solar Energy Systems) of the Corinna Township Land Use Ordinance to prohibit solar energy farms in all zoning districts.

Applicant: Corinna Township

Carlson: This moratorium and proposed changes does not affect our project. So if you were to make a more restrictive ordinance we were approved prior to the change. Our issue is with the interim use portion of your ordinance and how it relates to solar. These three restrictions would be prohibit us from going forward. I hope you are not considering banning solar farms entirely. It bans everything as an interim for financing.

Audience: none

Oleson: The discussion last month and in the proposal here, we had set up a subcommittee. Right now we have a section on solar and it breaks down into two parts. One is the solar farms which is 100kw type set up and the other one is for the individual that wants to install it on their property, either on the roof or in an open field. What the proposal was is to have the solar farms not being allowed anymore, but there was no change to the individual ones on own property. There is a related section regarding the interim use permits. The idea of an interim use is that it is going to expire at some point. Typically why it would be ok now and not in the future. Some of these changes may be the land use changes or you may have more homes than there used to be. It may be ok now, however, as development happens they may not be ok in the future. When developed that ordinance it was for things that did not require a large investment. Something that could be restored back to its original use or a building that could be used for something else. After we adopted that Wright County adopted the solar ordinance and we followed suit. The way they worded that is they called it an interim use and they do not have wording like we do in their interim use, they treat them like CUP with the 30 year maximum life span, when we adopted their language it was adopted as an interim use. We never really had a discussion if they should apply to solar farm. Any, if these should apply to solar farms, those three things could trigger them to cancel. To me two main questions, maybe three. One is do you want to allow solar farms at all, one is to say we do not want to allow any more but will allow the two that are approved and allow them to be there for 25- 30 years. The third option is if you choose not to change this section then the two you approved potentially will not be built.

Lisa Daniels: I have a one in Albion Township south of Annandale; Solar and renewable energy that has been in the US Department of Agricultural farm bill since 2002. There are programs to support solar farms on farm land. There are 3 or 4 for programs for people and it is not taking land out of production it is a different type of production. It is the type of production that is a new market and produces electricity. It is a new commodity.

Lori Knutson: I do not understand the ordinance as its written that would remove commercial loans on any interim use?

Carlson: It's because we lose our permit under these different conditions, if they change their ordinance or they sell the property.

Lori Knutson: I'm asking the board why would you would limit that and why that would be put in there. I am just trying to understand that.

Oleson: Our language does not prohibit commercial lending, what it does is say if certain things happen then the interim use permit would expire and they would not be able to continue their use. So like a gravel pit it could be reclaimed and go back to productive land. Solar Farm

is different in that there is a lot of equipment that is installed and it is a bigger risk for everyone involved.

Audience Gentleman: Why is the township is so concerned about solar energy, its noise less, odor less obviously its long term set up. It will have screening and it not very visible. What is the concern with solar arrays? In my opinion it is not a hog barn that is attracting flies all year round.

Guck: If you have been here at a couple of other meetings, there were people that were against them, screening not adequate, you come up over a hill you can always see it. Their coming up to their lake home they thought it was a deterrent to their property. For everyone that wants it there are two that don't want it. In my opinion we are a lake and farming community.

Knutson: I would love to see Corinna Township as a solar community. I think it is embracing something that is new. As a realtor we have not heard that they are de-valuing the property. There is not enough information out there to see if they are adding value. I would like to be known of the township that is growing and embracing the future.

Andy Sullivan: I am with IPS Solar. I just want to add that all three of the people that have indicated they were against this one are associated with other solar projects. They were not opposing solar, they were opposing us in general.

Carlson: We did send out a survey. There were 28 people responded, 57% are opposed to the ban of solar farms. In terms of supporting 63% came back in favor.

Oleson: We did receive two comments, one was in favor solar and one was against.

Smith made a motion to close the public hearing. Arendt seconded. Public hearing closed.

Smith: I am glad we are in the back seat of this, some of the ones that started early are ugly.

They one you are proposing looks good. I am just not a fan of solar and I myself do not feel it is a good source of energy. I do not see a payback. I think it is funded by others that make it work right now.

Niklaus: Question for Ben; Do these changes always come here first or is this a board decision.

Oleson: It comes through here first as a public hearing then goes to the town board. They will make the final decision.

Niklaus: I don't think it is our job to determine if solar is good or bad. It is our job to determine if we want it in our township. If we do what kind of conditions do we want on them. There was a gentleman from Cokato here last time, he out lined the process when he put in a solar and I thought it was really well done. He contacted all of the adjoining neighbors and it was a successful project. We have residence that have been here a long time, this is new and they are going to have a new neighbor that is not what they are used to and they have a right to express that. I don't think we should ban solar farms in the township. I also don't think we should cut off the projects that have been approved or endorsed. If the project is being done the way it is supposed to we should allow them.

Naaktgeboren: We are not here to discuss economics of it and someday solar may be a great product were not there yet. It is in somewhat residential area, you are right it is another way of getting a crop off it, and it is electricity. My question is we have approved two. I would be willing to consider allowing these two the 30 years waiving the restrictions for an interim. I would want to continue with the moratorium and look at it some more. Giving these two and figure it out for the rest of the township.

Arendt: I follow what Dick is saying, we have approved two of them. I would be in favor to allow these two to be good for 30 years.

Guck: Do we cut a deal for all of them or do we make an exception for this one. I don't like exceptions for just one group. Then you leave in 4 years and the panels sit there.

Carlson: There are others that are conditional not interim.

Guck: I am not sure it is right for Corinna Township.

Niklaus: I think the process we follow though is, if they did not have to come here and present your case there would be no screening and they would be everywhere. I think we have a good process and we approve them with conditions. I think to ban them completely is not needed.

Arendt: If we have a bond so we have some guarantee's that if they fail there is money put aside to remove it. I feel we are safe that way.

Smith: Just to confirm, this is a recommendation to the town board to act on.

Oleson: Yes

Naaktgeboren: How are you going to clarify section 507.4 to have an exception for these two? I would not have that motion ready.

Niklaus I would move that we recommend to the board that we do not endorse the ordinance amendment to ban solar farms.

Oleson: So you do not want to make any changes to the ordinance, or are you looking at allowing these approved ones for 30years?

Niklaus: Yes I would like to allow for the two approved ones to continue.

Oleson: Then that would be an ordinance change just a different one. So I think we need your general thoughts. Do you want to continue the two approved ones for their life which is 25 years? If you do then we can present to the board to see what they think, then we would come back to you with a public hearing to make that change. If you don't think we should have a total ban then we would not change that part of the ordinance since we already allow for them. We still would have the moratorium for a year unless you would lift that. What I am hearing you say is that you want to allow for the two to have the 25 years and you do not want a total ban.

Niklaus: Correct. My motion is a recommendation to not have a total ban, allow the two approved solar farms 25 years and continue the moratorium.

Naaktgeboren: So that is to change or adjust 507.4?

Oleson: Yes and that would come back as a public hearing next month.

Naaktgeboren seconded the motion. Motion approve 4- 1 Smith opposed.

Requests related to construction of a dwelling with attached deck and new sewer system. Approvals required include variances for the construction of an open deck approx. 37 ft and dwelling approx. 41.4 feet from Clearwater Lake (min. 75 feet required) and dwelling approx. 34 feet from the centerline of a township road (min. 65 ft required) and the installation of a sewer system approx. 5 ft from the road right of way (min. 10 ft required).

Property Owner: David J & Deborah L Daniels

Property address: 11145 Lawrence Ave NW, Annandale

Sec/Twp/Range: 6-121-27

Parcel number(s): 206019000130

Present: David Daniels, Debbie Daniels

Daniels: My wife Debbie and I purchased this home on Clearwater Lake 24 years ago. The home was built in 1937 and it is getting a little worn. We decided it was time to raise the

property and build a new one. We have used the home as a summer cabin, however, it was designed and built as a year round home. We understand that the lot is small, however, we do have 100ft shoreline and width and have come up with a plan that feel will work. We understand that there is not a lot of room to spread out. Our design is such that we go up. I have been working with Bernie Miller on a septic design plan.

Miller: When we first started looking it was over a year ago and I was not sure how they were going to get a house design. With the way that we looked at getting the septic system on the property. We had to look at the neighbors well and they were not interested in drilling a well. We are thinking it is a shallow well, so it was very difficult, and limits us to go across the road. Elevation wise it was a little more difficult also. We ended up pushing the house up to meet all the flood elevations.

Audience; None

Oleson: The need is due to the lake setback, the new home would be slightly further back from the lake and there would be a deck out front as well. With it coming back it would also need the road setback and also for the septic set back. There is a typo in my recommendation at the end. The thought is it appears that the drainfield could be moved back to meet that set back, however, it would require more fill. So that is one thing we look at. The main issue is that it has the tuck under garage and two stories above that. As long as you feel it is not out of character of the neighbors, you could approve.

Arendt: I did go up down the road, it is mixed between one level and two level homes along there so I feel that it would fit with the neighbors. My concern would be parking and where people would put cars.

Miller: Our thought was to look at the back side and there is also room from the edge of the road to the garage which is close to 30ft.

Arendt: Taking the drainfield back from 5 ft to 10 ft what would the amount of fill be?

Miller: I am not sure of the amount. If we move it back It will have to have some sort of taper or a wall. If we move it back it would change the taper, it would not be a huge change. I did talk with Ben & the County with the wetland back there and they thought we should have 5 ft. and it is about 9 ft from the road. Would be a good idea to put something there so no one drive on it.

Arendt: I am fine.

Smith: My concern is that it is a narrow road to begin with. I would like to see at 10 ft if we can get it there. As far as the height I am ok, there are other houses that are two stories. You are close to the lake, but you do not have a lot of room.

Miller: Yea there is not a lot of room and the building & impervious coverage only go up slightly.

Naaktgeboren: Does it meet the maximum height?

Oleson: Yes

Naaktgeboren: There are some that are higher down the road. The parking I'm ok with. My biggest question was the sewer, do you have any concern with wetland and Ord. High Water.

Miller: The system has to be above 994.6. So as you move back towards the wetland it is at about 993 so it's not a huge concern we can bring it up. In Stearns County there is not road setback in Meeker its 3ft from the road. I understand it is only a 20ft road and you wish it was wider. It would not be huge to move it back, just the preference is to only go 5 ft.

Naaktgeboren: I think it is a concern with someone parking so I think you need to put a wall there. If you go back you have an issue with the water.

Miller: It doesn't change the elevation of it, it changes what you have to do to meet flood stage. That is a negotiable thing, you could go back another foot or two and it may require some type of wall, it could be 1ft boulders, but is that more a nuisance for the road then if it is a natural taper. I don't know if that is an issue or not.

Niklaus: When you said the lot is somewhat small that is an understatement. That does not matter in this case because that's where the house already is right?

Oleson: We generally ask that they try to get at least half of what the normal set back is and they are doing that.

Niklaus: In doing that you're pushing into the road requirement.

Oleson: On the road we try to maintain at least the 20ft set back. They have that so I think it is reasonable to maximum the lake setback.

Niklaus: I agree on the septic set back, I don't think that 10 ft is unreasonable.

Naaktgeboren: Is the bunk house staying? And the other two are going?

Daniels: That is correct.

Guck: I think that's good you are getting further from the lake. Why three bedroom?

Daniels: Right now it is a one bedroom and the family is growing.

Guck: If going to a two bedroom would that save on the drainfield?

Miller: 50 sq ft so not enough to help.

Naaktgeboren made a motion to approve Variance for the construction of an open deck approx. 37 ft and dwelling approx. 41.4 feet from Clearwater Lake (min. 75 feet required) and dwelling approx. 34 feet from the centerline of a township road (min. 65 ft required). And Deny Variances for the installation of a sewer system approx. 5 ft from the road right of way (min. 10 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 (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. Approve unanimously.

Request for rezoning of properties from R-2 Suburban Residential to R-1 Urban/Rural Transitional.

Applicant: Peter and Adrienne Edmonson

Property Owner: Edward B & Shari Goff
Property address: 6540 102nd St NW, Maple Lake
Sec/Twp/Range: 12-121-27
Parcel number(s): 206105001020

Present: Pete Edmonson & Ed Goff

Edmonson: We hoping to subdivide after rezone. We are hoping to build a house on a couple of acres from the father in-law.

Audience: None

Oleson: Right now it zoned R2. The request originally was to not to rezone and split the lot. They could not make the 200 ft minimum width. The shore line could not either but that is what it is right now. So being that it could not meet that we thought maybe we could do a variance request to have less than 200ft, it was going to be close at 198ft. In going to the County they did not like that idea. Because we interact with them on final plats we need to interact with them more. So then we talked about rezoning to R1 which brings the width down to 150ft and minimum lot size from 2.5 to 1 acre. The lot size is not the issue it is more about the lot width. There was conversation about the neighboring owner about seeing about buying some land to get the 200ft.

Edmonson: At this time it did not see to work with timing and getting them do do that.

Oleson: So they are asking to rezone to R1. I did talk to the County about that and they do have some concerns about that because they have a general rule that they do not like to see second tier lots. It is not the traditional second tier where there is a road. We did talk about just rezoning the one lot and did not get any real feedback on that and may not know until they look at the request. I think at this point we are looking at what we think is best and make a recommendation to the County. The second stage of this is platting out. We may need to table the second stage until we know what they do with the rezoning. There is a general rule that we do not want to do spot zoning. If we can justify what we have for our land use plan then it can be done. The cleanest to me is to keep it R2 and somehow get two extra feet of road frontage. My initial thought is to rezone just the one lot to R1.

Smith: Did you talk to the owner of the other property?

Goff: I have talked to him in the past and he was not interested selling any of that. Recently I have not been able to find him.

Smith: I think that would be the best solution. I do not see it as problem he is not losing anything and you would get your 200 ft. Other than that I do not see a problem.

Naaktgeboren: I'm with Smith, If you have any way of getting the corner from him. Or is there a way to change the lot lines to get the 200ft.

Edmonson: When we were working with Otto surveyors. The way that 123 curves it pinches the lot getting us the 198ft. We looked at replotting the lot to the west, and adjusting those lines and it was tough. We were looking at cost wise this is our preferred way. Pointing out the lots to the north of us are already R1 it is a continuation of those.

Oleson: It would make more sense if all three were changed R1.

Edmonson: There is also a garage that we are looking at and moving lines that would either have to be moved or would need a variance. It is a very good garage so we do not want to take it down and in talking with Ben those variances would most likely not be approved since we are creating the non-conformity.

Guck: I am with Smith in checking with the neighbor.

Goff: I have been trying to track him down for a few months.

Arendt: I have an issue the piece off the lake, is that currently R2?

Oleson: That is AG zoned.

Arendt: In the proposed plan you have it changing to R2?

Oleson: That is the Future Land Use Plan.

Oleson: So I think to give him the opportunity to move onto the County, would you be comfortable to recommend something? It can be a little vague, you could say your preference is one thing and if that does not happen what is your second.

Niklaus made a motion to recommend rezoning from R2 to R1.

Naaktgeboren seconded the motion. Motion passed unanimously.

Requests related to the re-subdivision of two existing platted lots to create three residential lots.

Applicant: Peter and Adrienne Edmonson

Property Owner: EDWARD B & SHARI GOFF

Property address: 6540 102ND ST NW, MAPLE LAKE

Sec/Twp/Range: 12-121-27

Parcel number(s): 206105001020

Smith made a motion to table to allow for a final decision by Wright County on the proposed rezoning. Arendt seconded the motion. Motion approved unanimously.

Requests related to the replacement of an existing garage and shed with a new two-story garage. Approvals required include a variance to construct a two-story garage (max. one story allowed) on a parcel with approximately 26-27% impervious coverage (max. 25% allowed).

Property Owner: Todd A & Jill Y Jackson

Property address: 11344 Hoyer Ave NW, Annandale

Sec/Twp/Range: 2-121-27

Parcel number(s): 206091000100

Present: Jill Jackson & Contractor

Jackson: We would like to tear down and replace with new one. The current one is on the property line, the new one would be 10ft from the property line. It would have a second story that would be a work shop for my husband, not living quarters or bedrooms.

Contractor: In your notes it indicated that it was going to increase the impervious coverage. It is actually going to be reducing the impervious. There is some sidewalk and patio that will be removed.

Oleson: I did get clarification. What I was going off of was a patio and sidewalk that I was not aware was going to be removed. Are these numbers based off the old 2006 survey?

Contractor: Yes. I believe the property is 19,996 sq ft. We are about 20 sq ft. from being able to have a larger structure. If they were at 20,000 sq ft property they would be allowed this larger structure.

Contractor: We are reducing the impervious surface, eliminating a structure and making it one, and moving off the property line. We will be working with the landscaper regarding the water management plan and storm water control off the back side of the structure.

Audience: Paul Gustafson: We live on the Southside of this property and they have been good neighbors, the movement of the garage off the property line is welcome. The steepness of the

roof and the addition to get the 16 ft of upper loft seem excessive for the steepness and what you would get out of that. If the numbers were to come in so that they could add more space further to the west we would welcome that. There is a water problem that always happens, because of the way the property is sloped it comes between the two garages now. Then there is a low point, if the water comes too quickly it floods the shed floor that is there. We would prefer that the second story not be there.

Jackson: Just to the west to the other side of Paul did put up a second story garage so there others down our road.

Contractor: The steepness should not be a concern. We can address this with gutters and rain barrels to collect the water off the roof.

Oleson: The variance is not related to setback. It is the footprint of the building when it is 20,000 sq ft or less it is limited to 800 sq ft. If it were over 20,000 sq ft they could go up to 1400 sq ft building. So that is one, the other one is the second floor which is typically limited to a 6ft ceiling height and only for storage, they are asking for a 8ft plus for ceiling and 10/12 roof pitch when usually limited to a 6/12. They are fine with the sidewall height.

Naaktgeboren: The larger footprint are we going to run into a bigger problem with impervious?

Oleson: They are over impervious right now. We do not have exact numbers since there is not a survey but they are at about 29% or so. They are going to reduce it some, it will be less than what is there right now, but do not know the exact numbers.

Arendt: With the plan that they sent. The new plan looks to be 28.7%. They would have to reduce about another 753 sq ft to be under 25%.

Oleson: In past when they have been over we have allowed for a ratio such as 2-1. We have not always made them get down to the 25% unless there is some way to do that. There was a comment regarding the other two stories in the area. There is one that was permitted orig. in 1975 and one 1992, the height restriction did not go into place until 2007. Another once was in 2006 and the most recent one in 2007. We did have the requirement to be under the 6ft, I have not been inside of it to see.

Niklaus: The reason for that 6ft maximum is to discourage living space and the reason for the 10/12 pitch is what?

Oleson: Both are to discourage living space. There are DNR rules to not have quest cottages so this is something the County added on to help restrict that.

Smith: I think now is the time to get down to 25% or under impervious and 6/12 pitch is a maximum.

Naaktgeboren: I think it would be nice to have a survey as to where you are currently at for impervious. Right now we are guessing.

Niklaus: You are so close to the 20,000 to get a larger shed, however, that does not solve the impervious issue.

Oleson: Just to clarify, the old survey does not include the ordinary high water level. If there was a survey that included that it could help them or make it could hurt them.

Niklaus: I agree they should get down to 25% & keep pitch height to 6/12.

Arendt: I agree they have to stay with 6/12 & 6ft ceiling height and if possible get down to the 25% impervious.

Guck: I have a problem with the height as well. The others were before the fact.

Contractor: There existing house is by far taller so height should not be an issue for someone behind them. The footprint is increasing however, they are reducing their impervious and getting down to 25% may not be possible.

Guck: That's where having a survey would help.
Smith made a motion to table for a current survey. Niklaus seconded the motion. Motion approved unanimously.

Approvals related to splitting an existing parcel and attaching each portion to the adjacent parcel. Approvals required include a lot line adjustment in a shoreland district.

Applicant: Leander and Janelle Hennen/Timothy and Michelle Pippo
Property Owner: Leander and Janelle Hennen/Timothy and Michelle Pippo/Arvid and Pamela Klemz
Property address: 6397 and 6417 117th St NW, Maple Lake
Sec/Twp/Range: 1-121-27
Parcel number(s): 206080001150, 206080001160 and 206080001170

Present: Tim Pippo & Leander Hennen

Hennen: It's a vacant lot now with a small building that will be removed. We own property on each side and would like to split the lot in half & attach to our current PID.

Audience: None

Oleson: So this is straight forward. We typically are just making sure there not creating any non-conformities and they are removing the shed. The side lot lines would improve.

Smith: I like it.

Arendt: I'm fine with it.

Naaktgeboren: I like

Niklaus approve the splitting of an existing parcel and attaching each portion to the adjacent parcel with the following conditions:

1. The existing shed on the middle property must be removed or relocated to meet all applicable regulations within thirty (30) days of the approval of the lot line adjustment.
2. The combination of each house lot with a half of the middle lot shall be permanent and the Zoning Administrator shall file the necessary paperwork with the County Recorder to indicate that the lots cannot be sold or developed separately from each other.

Naaktgeboren seconded the motion. Motion passed unanimously.

Approvals related to allow for 3-4 horse show events per year. Approvals required include a conditional use permit to allow for horse shows involving up to 89 horses and lasting up to 72 hours per event.

Applicant: John Behnke
Property Owner: Dave Siwek -
Property address: 10308 108th St NW, Annandale
Sec/Twp/Range: 8-121-27
Parcel number(s): 206000081200

Present: John Behnke & Eric Friauf

Behnke: I am the manager for this property. We have the property advertised for rent and we have had several inquiries about doing events on the property. Eric is one that has been in

contact with us. We currently have a CUP for boarding only up to 29 horses. What the market is telling us is that events are what people are looking for. We want to make sure that we are doing everything right and not have someone move in that can't do what they are intending to do.

Friauf: The events are day events, the people would trailer in, it lasts 5 - 7 hours and they go home. A lot of it is WSBA, so you are talking kid 3 - 19 years old.

Behnke: When we submitted this CUP we were looking for bigger events 2-4 time a year. Eric's thing is different with single day's maybe more frequently and smaller.

Oleson: They granted a CUP of 29 horses. I looked through the minutes of that and there were lots of questions about having events and the answers were no. So when they asked about events I felt they needed to come back to update their CUP. There is a parking plan that they sketched out.

Behnke: This was one person's idea. We could do inside and Eric's plan is different.

Oleson: It is about a 12 -13 acres, there is not a lot of residential around and there is another horse farm across the way. We did get a letter from that farm with some concerns and received another letter today with concerns regarding traffic, parking, rest rooms, and impact on the neighborhood. This is an interim with a 5 year time frame and you could do less. This is an example of not having as big as an investment since you are using existing buildings. Those are the basics and there is a list of conditions. In your request you indicated up to 4 events per year up to 72 hours, now you're saying it would be different?

Friauf: Yes it would be more frequent maybe every other week, maybe 15-20 people.

Behnke: We are marketing the property so we made it as extreme as possible. Eric says his model would be more frequent but less people. I am not sure we couldn't do it if we stayed under the 29 and they were running barrels in the arena.

Oleson: I think we are talking the 29 horses that are for boarding. To me they would be safest to approve events with whatever number of horse. So some kind of condition on the amount of horses & events they could have other conditions would feed lot, septic, hours of operation, parking which they have. If the events held outdoors there could be issues with people traveling on the road.

Audience: Judy Grathim: I have either lived here or been part of the community for several years and I am very aware of the amount of traffic, there is very limited shoulders and congestion on the weekends. We walked up to the property to look around and we became extremely concerned about the safety for the home owners, visitors, camp friendship, walkers bikers, with trailers coming in and out. We have no idea what we are granting it for? I have concerns with the sanitation with that many horses and whether it would be for the public good of our area. We could grant this however, we could also create a mess. No one has ever asked for 89 horses and we are looking at a proposal that is open ended at this time. I do not think we should approve. **Dave Hadler:** We own to just the east and have lived there for 23 years. We have seen several people buying and selling this property trying to make a profit and it always fails. Were sick of it. Eighty-nine horses is a lot. My concern is what type of events are we going to be listening to microphones for 72 hours?

Friauf: I would be living at the property if this goes though and me personally I would do everything indoors and you would not hear the PA system. It is insulated. If you hear the PA system you can let us know.

Behnke: The one thing I would like to say, this is an indoor arena that we would like to be able to use it. We have been putting money into this to make the property better.

Niklaus: I think it is commendable how well the property is kept up. However, I think tripling the size of its occupancy would be very problematic for everyone. .

Naaktgeboren: I have been there and I have been inside. I talked to a few that have horse trailers and they felt the issue parking. I understand what you're trying to do, I feel that 29 horses is enough. I would say my feeling is keeping it at a 29 horses.

Smith: Poorly planned out, should have something planned for more parking maybe in the back. I also think it is maxed out right now.

Arendt: The application is up to 4 shows and 89 horses, your saying you're not going to do that now so to me this application is wrong. So do we table or just state what the issues are.

Guck: I am on the same boat, 89 horses is way too many. Maybe it should be table based on what you want it for and a better plan.

Arendt made a motion to table to come back with a clearer plan on what they will be doing. Smith seconded the motion.

Friauf: Can I have an event there with no more than 29 horses right now?

Naaktgeboren: No the CUP is for boarding. Event wise what are you looking at?

Friauf: I have two children that ride WSBA. The person that owned the property we ran them prior passed away and we lost that event center. What I am looking at is WSBA events with children 3 - 19 years old. WSBA with some games such as halter games, wester part, there are barrels and some other barrel evens. They start at noon and last 5 - 7 hours and everyone goes home. I am not looking to house more horses.

Guck: Why would you not use Wright County Saddle Club & Maple Lake? Why are you not using those?

Friauf: They are outside and many of the shows were canceled this year due to rain. The kids do not have enough time to get their shows in to go to the State Fair, causing people to travel 100 - 150 miles to get their shows in.

Niklaus: With the motion to table does that mean were willing to consider this? Are we giving them false hope?

Guck: If they can come in with some final numbers.

Niklaus: Could we make the motion to deny and it's done?

Oleson: You have a motion out there right now so you would have to act on that one first.

Guck: I have a few more questions. Public spectators, are they horse people or just the families.

Friauf: Usually it is just families and there is room for them to sit inside the arena. It is not like a rodeo where spectators come to watch.

Niklaus: Are we giving them false hope? Is this something we would consider if tabled?

Behnke: What makes something an event?

Niklaus: You advertise for it, market for it and open to the public.

Oleson: Here is how the original approval reads: A riding academy for a training instruction or sporting and innovative services. It is a little vague so I understand your question. If you have something specific you could call me and we can look through it.

Guck called for a vote to table the request. With no one in favor. Motion failed.

Niklaus made a motion to deny the request. Arendt second motion. Motion denied unanimously.

Smith made a motion to approve the May 14, 2019 meeting minutes. Naaktgeboren seconded the motion. Motion carried unanimously.

Zoning Administrator's Report; None

Permits

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions

Other Business - none

Naakgeboren made a motion to adjourn. Niklaus seconded the motion. Motion approved unanimously at 9:22 pm

Prepared by Jean Just