

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
September 29, 2020
7:00 PM

Guck called meeting to order at 7:00pm on September 29, 2020

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

Others in Attendance or via Computer: Brenda Strand, Pearl Lieb, Al & Maureen Emmerich, Kathy Gruys, Bob Gruys, Steve Bruggeman, Jon Mondloch,

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

Public Hearings

Requests related to the subdivision of land. Approvals required include preliminary plat approval for "Indian Lookout," a six-lot residential subdivision with lot sizes ranging from 2.9 to 7.2 acres.

Applicant and Property Owner: Robert Gruys

Property address: None

Sec/Twp/Range: 1-121-27

Parcel number(s): 206000013400

Present: Steve Bruggeman, Bob Gruys

Bruggeman: We have the concept plan ready. We were here to rezone and that was approved by Wright County. We are now here to get the concept plan approved. We have mostly 5 acre tracks and one that is smaller.

Oleson: It is subdivision so they are hear for conditional use permit and approval of the preliminary plat. There are no new roads to be built, they will all be accessed either off 112th or 110th Street. All the lots meet the minimal lot size, we have two different zoning districts, R2 & R2a. The one lot on the east section is R2, the rest are R2a. They do have two sewer sites identified for each lot. There is only one lot that is on Indian lake, the rest are off the lake. One of the things that comes into play is the storm water management, it is a state requirement that if you have one acre of new impervious that you are creating, that you have to put in a storm water pond. In this case, they are not any roads so no more impervious. We have one comment that came in and I believe they are also on the phone.

Audience: Crystal Oth: We bought a cabin on Indian Lake. Just wanted to speak about the name Indian Lookout and what is the message as to what that means. I could be interpreted different ways and wondering if that is the message we want to send. Wondering if we should get input from tribal members to make sure it is not looked at a negative way.

Naaktgeboren: There are many of the plats on Indian Lake that have the Indian name in them. I have been here for many years and see no issue with the name. I reviewed the plan and I am fine with it.

Smith: I did mention about looking into something for a community sewer.

Gruys: We have looked at it and I did talk to some of them and nothing is ever going to happen with that.

Smith: Maybe not today, but I am looking into the future to see if there is something that could be worked out.

Naaktgeboren: Could whomever purchases lot one & two break off a piece for a future septic.

Oleson: You would either have to designate it now or see if a seller would agree in the future.

Smith: That is why I bring it up to see if this is something we could do now.

Schultz: Lot one is pretty narrow, with the septic it looks very close to the lot line, is that an issue?

Oleson: It is showing the setbacks and that one is showing 10ft and that is the minimum setback. They are showing where septic's could go not necessarily where they are going to go.

Board reviewed the paper copy of the preliminary plat.

Arendt: I was looking at the same thing as Schultz and making room for a drainfield and a driveway. If that is going to work I am fine with it.

Niklaus: Does the board have any say in the name?

Oleson: No we do not have a say, they County Recorder will review and approve.

Niklaus: I am fine with the plat.

Guck: I don't see any issues with it.

Niklaus made a motion to recommend the approval of the preliminary plat and conditional use permit for "Indian Lookout" a six-lot residential subdivision with lot sizes ranging from 2.9 to 7.2 acres based on the findings of fact.

Arendt seconded the motion.

Naaktgeboren asked if the motion for CUP and Plat had to be made separately. Oleson indicated that it could be done either way. With no further discussion motion was approved unanimously.

Requests related to a proposed dwelling addition. Approvals required include a variances to construct a 4' x 13' dwelling addition approximately 63 feet from Clearwater Lake on a dwelling that is approx. 40 ft from the lake (min. 75 ft required). Impervious coverage to increase from approx. 29.6 to 29.9% (max. 25% allowed).

Applicant: John Mondloch Construction

Property Owner: Alois and Maureen Emmerich

Property address: 11824 103rd Street N

Sec/Twp/Range: 7-121-27

Parcel number(s): 206042000150

Present: John Mondloch, Al & Maureen Emmerich

Mondloch: We are looking at a dwelling addition and the question that Ben and I have been talking about impervious vs non-impervious. We are looking a 4'x13' dwelling addition. We would be removing concrete to enlarge their kitchen on the east side.

Oleson: The variance for the addition to an existing cabin that does not meet the lake setback, the house is approximately 40ft from the lake the addition is 63 ft from the lake. Then there is the question on impervious coverage. I have done measurements and I am estimating 28%

impervious right now and with the addition which is mostly over sidewalk, it would be a slight increase, however, still over 25% impervious.

Mondloch: I did have 23.9%, however, I did not count retaining walls. One item that we discussed is removing some tar by the lake. There is about a 54ft by 11.5 ft tar area from lake to the house, since we are over they would be open to removing that which is right down by the water.

Audience: None

Niklaus: I am not in favor of any impervious over 25% if you are willing to remove down by the lake that would be a benefit. I do not have an issue with the lake setback.

Arendt: I agree with trying to get down to 25%. If you removed that tar area it will get you close to the 25%. Also I am wondering about the septic installed in 1996, with no records of where it is, would that be a concern.

Emmerich: That would have been done at the time of sale when we purchased in 2015.

Mondloch: We would provide that at time of permit application.

Schultz: My concern was also the impervious.

Smith: If you get us close to the 25%, I am good with it.

Oleson: I think when you come to the motion you should specify what you will require.

Naaktgeboren: I would be happy with you removing the area by the lake 50ft back.

Guck: I agree with the removal of the tar by the lake.

Mondloch: My one request would be that we have time to remove the impervious.

Arendt made a motion to approve based on the findings of fact a variance to construct a 4' x 13' dwelling addition approximately 63 feet from Clearwater Lake on a dwelling that is approx. 40 ft from the lake (min. 75 ft required). Impervious coverage to be reduced by approximately 3% by June 15th, 2021 with the following conditions:

1. Applicant shall remove the portion of the existing driveway that extends down the hill to the lake (approximate 11 x 54 area) so as to reduce impervious coverage closer to the 25% limit.
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, wetlands, road right-of-way or onto adjoining properties. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.

Smith seconded the motion. Motion passed unanimously.

Approve Previous Meeting Minutes: Smith made a motion to approve the August 12, 2020 meeting minutes. Schultz seconded the motion. Motion carried unanimously.

Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions

Oleson: There was a previous variance Ojeda for a platform on their stairway. It was approved by 45sq ft. I reached out to them to see if it was completed, they responded that the letter I sent them summarizing the decision, included some standard working that state's that variances are good for three years. I responded that it was standard language and assumes that it is not an after the fact request. I did listen back to the audio and we did not set a time frame for them to complete this. So my question is do we need to set a deadline to have them reduce the platform. After discussion Smith made a motion to give them until June 1, 2021. Schultz seconded the motion. Motion passed unanimously. Oleson will send out a letter.

The only other item is the information I sent you from the Clearwater River Watershed District. They have a 60 day comment period, so if there is anything you have questions on we can discuss further at the next meeting.

Schultz made a motion to Adjourn. Smith seconded the motion. Motion passed unanimously at 7:46 pm.

Prepared by Jean Just