

CORINNA TOWNSHIP BOARD MEETING
Tuesday, April 6, 2021 - 7:00 p.m.
Corinna Township Hall
9801 Ireland Avenue NW, Annandale, MN

Minutes Unapproved

This meeting was open to the public.

Chairman: Larry Smith
Vice-Chairman: Chuck Carlson
Supervisor: John Dearing

Call to Order and Pledge of Allegiance was at 7:00 p.m.

Present: Chairman Larry Smith; Vice-Chairman Chuck Carlson; Supervisor John Dearing; Clerk/Treasurer Mary Barkley Brown.

Absent: Deputy Clerk/Treasurer Jean Just.

Others in Attendance: Bob Gruys; Kathy Gruys; Steve Bruggeman.

Approve or Amend Agenda, Town Board Meeting, April 6, 2021: A motion was made by Dearing, seconded by Carlson, to approve the Agenda with the following additions: Preliminary Plat Indian Lookout Second Addition; Barrett Driveway Access Question. Motion carried unanimously. Copies of the previous Meeting Minutes and this Meeting's Agenda are available for those attending this meeting.

Approve or Amend Minutes, Town Board Meeting, March 16, 2021: A motion was made by Dearing, seconded by Smith, to approve March 16, 2021 Meeting Minutes. Motion carried unanimously.

Maintenance Outlook Report, Calendar and Log Sheets: Reviewed.

Requests to be on the Agenda:

1. Preliminary Plat Indian Lookout Second Addition: Steve Bruggeman addressed the Town Board in regard to Preliminary Plat Indian Lookout Second Addition. He presented the documents required. A motion was made by Dearing, seconded by Carlson, to approve the Indian Lookout Second Addition Preliminary Plat. Motion carried unanimously.

Other Business:

1. Planning and Zoning Administrator's Report:

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|--------------------------------------|---|
| Application: | Request for rezoning and subdividing of an approximate 13.7 acre property. Approvals required include rezoning the property from General Agriculture (AG), Suburban Residential (a) (R2a) and Suburban Residential (R2) to all Suburban Residential (R2) and also preliminary plat and conditional use permit approval for subdividing the property into a four-lot residential subdivision with lot sizes ranging from 2.5 to 4.9 acres. |
| Applicant and Property Owner: | Robert Gruys |

Background Information:

Proposal: The applicant is requesting rezoning of the property from its current General Agriculture (AG) designation to R2.

Rezoning requests are reviewed primarily on their conformance to the Township's Future Land Use Plan. Wright County, however, ultimately makes the decision on rezoning to a less restrictive classification and as such, the Township will only be making a recommendation to the County in this application.

The subdivision would be served by 112th Street NW and 110th Street NW, existing gravel township roads.

In addition to approval of the preliminary plat, residential subdivisions also require a conditional use permit.

Location:

- Property address: 6605 110th Street NW, Maple Lake
- Sec/Twp/Range: 1-121-27
- Parcel number(s): 206000013402 and part of 206000013400

Zoning: AG - General Agriculture/S2 - Residential-Recreational Shore lands, Indian Lake (Recreational Development lake)

Town Board Direction: Town Board action is required as the Planning Commission/Board of Adjustment's decision is considered only a recommendation by Ordinance.

Board of Adjustment Action: Based on the relevant findings of fact noted below, the Board of Adjustment has acted on the applicant's request as follows:

Rezoning approval:

Rezoning the property from General Agriculture (AG) and Suburban Residential (R2) to all Suburban Residential (R2).

Variance denial:

None

Conditions of approval:

None

Findings of Fact: The following findings of fact are presented by the Planning Commission for consideration by the Town Board:

1. **Preservation of natural sensitive areas.**
 - The subject property does not appear to contain any wetlands.
2. **Present ownership and development.**
 - The lot requested for rezoning is currently used open land that is not used for growing agricultural crops.
3. **Soil types and their engineering capabilities.**
 - The Wright County Soil Survey identifies the area to be rezoned as having soils suitable for development.
4. **Topographic characteristics.**
 - The site has rolling topography.
5. **Vegetative cover.**
 - There is mostly open field outside of the existing dwelling area.
6. **Quality of the land for agricultural purposes.**
 - The land has not been used in recent years for agricultural purposes and is in grassland. It is of a small size not generally suitable for agricultural use.

7. **In-water physical characteristics.**
 - ☐ N/A
8. **Recreational use of surface water.**
 - ☐ N/A
9. **Road and service center accessibility.**
 - ☐ The property is served adequately with roadways (gravel township roads leading off of State or paved Township roads).
10. **Socio economic development needs of the public.**
 - ☐ The area is currently being used for residential and open field.
11. **Availability of public sewer and water utilities.**
 - ☐ The area does not have public sewer or water utilities. Properties are served by private sewer and water.
12. **The necessity to preserve and restore certain areas having significant historical or ecological value.**
 - ☐ The property does not appear to have any particular unique historical or ecological value.
13. **Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties.**
 - ☐ There are a number of homes in the immediate area and an additional home would not be likely to cause any unusual conflict.
14. **Alternatives available for desired land use.**
 - ☐ The alternative land use for this property is essentially just to remain being used as it currently is (for one dwelling and an open field).
15. **Prevention of spot zoning.**
 - ☐ Both the Corinna Township and Wright County future Land Use Plans identify this area as appropriate for agricultural use, with possible low density residential.
16. **Conformance to the Corinna Township Comprehensive Plan.**
 - ☐ The Comprehensive Plan of Corinna Township identifies this property as appropriate for residential use but encouraging "cluster" style developments rather than large lots as a way to preserve rural and agricultural uses. The immediately surrounding area has already seen significant residential development and is not a high priority area for preservation of rural or agricultural uses.
17. **Conformance to the Corinna Township Future Land Use Map and any other official maps of the Township.**
 - a. See answers to #15 and 16 above.
1. **Preservation of natural sensitive areas.**
 - The subject property does appear to contain some wetlands, although none that would significantly impact buildable area on the proposed lots in the concept plan.
2. **Present ownership and development.**
 - The lot requested for rezoning is currently wooded and partially used for an existing dwelling.
3. **Soil types and their engineering capabilities.**

The Wright County Soil Survey identifies the area to be rezoned as having soils suitable for development.
4. **Topographic characteristics.**

- The site has rolling topography.
5. **Vegetative cover.**
 - There is extensive vegetative cover on the property.
 6. **Quality of the land for agricultural purposes.**
 - The land is not currently productive for agricultural purposes as it is heavily wooded.
 7. **In-water physical characteristics.**
 - ☐ Some aquatic vegetation near the shoreline.
 9. **Recreational use of surface water.**
 - ☐ Indian Lake is used recreationally.
 10. **Road and service center accessibility.**
 - ☐ The property is served adequately with roadways (gravel township roads leading off of County Roads).
 11. **Socio economic development needs of the public.**
 - ☐ The area is currently being used for residential and woodland purposes.
 12. **Availability of public sewer and water utilities.**
 - ☐ The area does not have public sewer or water utilities. Properties are served by private sewer and water.
 13. **The necessity to preserve and restore certain areas having significant historical or ecological value.**
 - ☐ The property does not appear to have any particular unique historical or ecological value.
 14. **Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties.**
 - ☐ There are a number of shoreline residential properties immediately to the west and to the southeast. The remaining surrounding land is low density residential or agricultural. The land immediately to the east and west was recently rezoned and platted into residential lots (pending final plat approval by Wright County).
 15. **Alternatives available for desired land use.**
 - ☐ The alternative land use for this property is essentially just to remain being used as it currently is (for one residential home).
 16. **Prevention of spot zoning.**
 - ☐ Both the Corinna Township and Wright County future Land Use Plans identify this area as potentially appropriate for residential use.
 16. **Conformance to the Corinna Township Comprehensive Plan.**
 - ☐ The Comprehensive Plan of Corinna Township identifies this property as appropriate for residential use, but encouraging "cluster" style developments rather than large lots.
 17. **Conformance to the Corinna Township Future Land Use Map and any other official maps of the Township.**
 - ☐ See answers to #15 and 16 above.

Conditional Use and Preliminary Plat approval:

Rezoning the property from General Agriculture (AG) and Suburban Residential (R2) to all Suburban Residential (R2).

Conditional Use and Preliminary Plat denial:

Preliminary plat and conditional use permit approval for subdividing the property into a four-lot residential subdivision with lot sizes ranging from 2.5 to 4.9 acres.

Conditions of approval:

1. That the applicant provides evidence that each lot can be adequately provided with two private septic drainfield sites prior to submittal of the preliminary plat recommendation to the Town Board.

Staff Findings (Subdivision Criteria): Staff proposes the following findings for consideration by the Planning Commission, based on the criteria for reviewing subdivision applications in the Corinna Township Subdivision Ordinance:

1. The preliminary plat shall conform to all applicable official controls and all state and federal laws.

Wetland Impacts: The property does not appear to contain any wetlands, except those that are either very near to or part of Indian Lake. There is adequate upland on the property to construct buildings without impacting any wetlands.

Lot dimensions: The proposed new parcels would meet the minimum requirements of the proposed R2 zoning district, which are 200 ft wide/2.5 acres.

Storm water Management: See discussion in #6 below.

2. The preliminary plat shall be consistent with the Corinna Township Comprehensive Plan.

Several specific goals within the Comprehensive Plan apply to the proposal. They include:

- Protect, preserve, and enhance lake water quality.
 - Require on-site storm water retention and erosion-control plans for all new lakeshore development and redevelopment of existing sites to ensure that storm water runoff is properly managed and treated before entering surface waters.
 - Limit the amount of grading and filling in the shore land area so as to minimize the disturbance of soil and prevent erosion.
- Protect, preserve, and work to ensure effective management of wetlands, wildlife, and other important natural and environmental features.
 - Prevent the fragmentation of remaining habitat areas and corridors as new roads are built or areas are converted in the development process.
 - Facilitate rural developments that incorporate conservation subdivision practices and which preserve greenbelts, open vistas, unique topographical features, mature tree stands and buffer areas adjacent to environmentally sensitive areas.
- Ensure that all Township properties are adequately and efficiently treating sewage, both for current residents and expected future population growth.

The goals of the Comprehensive Plan will mostly apply at the time each lot is developed. Generally speaking, the proposed subdivision does not conflict with the Comprehensive Plan.

3. No plat shall be approved which does not conform to any applicable floodplain regulations.

This property is not located in any designated floodplain area.

4. No plat shall be approved unless there is provision for two (2) standard on-site sewage treatment systems for each lot, unless served with public sewer or an approved cluster sewer system serving lots within the subdivision.

The applicant has not yet indicated on the preliminary plat drawing the location of two septic drainfield sites. They have also not yet provided soil boring records. These are expected to be provided by mid-April.

5. A plat shall not be approved where a variance will subsequently be required in order to use the lots for their intended use.

No variances appear to be necessary to allow for the lots to be used residentially as they meet the minimum dimensions required and have adequate buildable area to avoid the need for any variances.

- 6. No plat shall be approved that does not contain adequate provisions for storm water runoff. If required, no plat shall be approved without an NPDES Phase II-compliant storm water management plan reviewed and approved by the Township or its designated representative.**

Both DNR and Corinna Township regulations require adequate/effective management of storm water. Federal and state regulations also require specific storm water management (NPDES rules) when more than one acre of land is being disturbed and permanent storm water controls (e.g. storm water ponds) when more than one acre of new impervious is being created. Because the developer is not disturbing any land themselves as part of this project (they are not building any new roads and are not developing the lots themselves), the one-acre threshold would not be met.

Absent a requirement for a storm water pond by the Township as a condition of approval for this subdivision, and because the ultimate layout of homes and other impervious coverages is unknown at this time, it likely would make more sense for storm water plans to be submitted as part of the development of each lot rather than a comprehensive plan now

- 7. Each lot shall have sufficient buildable lot area which, for the purposes of this Ordinance, shall be defined as the contiguous area of a lot which is sufficient in area to accommodate the construction of water supply systems, sewage treatment systems, buildings and driveways, while still providing for adequate setbacks. Areas which are floodways, wetlands, rights-of-way, bluffs or which have soils that are unsuitable for individual sewage treatment systems cannot be included in calculating the buildable area of a lot.**

The proposed plat does identify buildable areas on each lot, which would be large enough to allow for normal buildings (house, garage, etc....), driveways and private sewer systems.

- 8. Each lot shall be of sufficient size and character to meet applicable sewage treatment system standards.**

See answer for #4 above.

- 9. When deemed appropriate by the Zoning Administrator or the Planning Commission, the subdivider shall provide a vegetative buffer adjacent to delineated wetlands and/or wetlands identified on the National Wetland Inventory Map.**

The applicant has not proposed a vegetative buffer adjacent to any existing wetlands, which appear to only be present (if at all) on Lot 1, Block Two at the shoreline.

- 10. The Planning Commission shall consider whether the plat as proposed adequately protects the health, safety and welfare of the residents of the Township by providing for safe and adequate drinking water supply, adequate sewage treatment capacity, safe road access, proper road alignment and proper setbacks and buffering from conflicting land uses.**

Any wells and sewer systems installed will need to meet local and state regulations, which are designed to protect public health.

The land proposed for subdivision has primarily been used for row crop farming in the recent past, although they are relatively small fields.

Land on either side of the development (west and east) is generally residential uses (along the shoreline of Indian Lake). Land to the north and other nearby lands are a mix of agricultural and wooded land.

Staff Findings (Conditional Use): The following findings of fact are presented by Staff for consideration by the Planning Commission:

- 1. Will the Conditional use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the immediate vicinity?**

The proposed lot would meet the minimum size requirements, adequate roadways already exist to serve the development, and drainage impacts on nearby properties should be minimal or non-existent. As such,

there do not appear to be any significant aspects of the development that would diminish or impair property values in the area.

2. Will the establishment of the Conditional Use impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area?

See comment #1 in the CUP criteria above.

3. Do adequate utilities, access roads, drainage and other necessary facilities exist or will they be provided?

The proposed lots would be served by existing Township roads and utilities also exist in the area.

4. Have adequate measures been taken to provide sufficient off-street parking and loading space to serve the proposed use?

Each proposed lot should have adequate room for off-street parking typically associated with residential lots based on the large size of the lots (all greater than 2.5 acres in size).

5. Will the use conflict with the Policies Plan of Corinna Township and/or Wright County?

See comment #2 in the Subdivision criteria above.

6. Have adequate measures been taken, or will they be taken, to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result?

The proposed project would not be expected to create any long-term or ongoing nuisance such as are listed above.

7. Are there any other conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area or the community as a whole?

A motion was made by Carlson, seconded by Dearing, to approve Robert Gruys request for the property from General Agriculture (AG) and Suburban Residential (R2) to all Suburban Residential (R2); Preliminary plat and conditional use permit approval for subdividing the property into a four-lot residential subdivision with lot sizes ranging from 2.5 to 4.9 acres, along with the Findings-of-Fact and Staff Findings. Motion carried unanimously.

2. Notice of Dangerous Dog or Potentially Dangerous Dog, PID# 206-045-000120: Reviewed.
3. Arlene Marshall Trust Property: Attorney Mike Couri and Surveyor Web working on this.
4. Letter Regarding Obstruction in Road Right-of-Way at 11386 Hoyer Ave. NW: Owners agreed to remove 2 arbors and cut vines away from fence by May 1, 2021.
5. Arnold A. Olson Trust: Sheriff Deputy said owners agreed to have cleaned up by May 30, 2021.
6. Special Town Board Meeting Notice 4 6 2021 to Tour Township Roads: Reviewed.
7. Local Board of Appeal and Equalization Meeting 4 6 2021 at 4:00 PM: Reviewed.
8. Barrett Driveway Access Question: PID# 217-000-241100 - Board tried to reach Barrett during meeting to get a plat map regarding driveway access on 89th ST NW. Board was not able to reach him. No action taken.

Any Other Business That May Come Before the Board: None.

Information on File:

Office of the State Auditor: E-Updates 3/12/2021, 3/19/2021, and 3/26/2021 were reviewed.

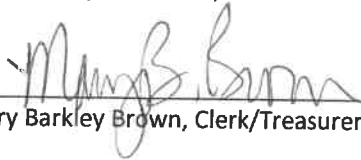
Payment of Claims:

A motion was made by Carlson, seconded by Dearing, to approve Direct Deposit Payroll JE 2021-020 through JE 2021-022 (Miller Welle Heiser Payroll Service); Payroll Checks #1549 through #1553 (Miller Welle Heiser Payroll Service); Check #22703 to Check # 22731 in the amount of \$50,855.29. Motion carried unanimously.

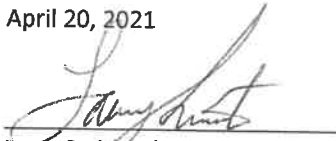
A motion was made by Smith, seconded by Dearing, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

April 20, 2021



Mary Barkley Brown, Clerk/Treasurer



Larry Smith, Chairman