

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
JANUARY 11, 2022

CORINNA TOWN HALL
9801 IRELAND AVE NW, ANNANDALE, MN
(Or via web/phone web conference)

7:00 PM

1. Call to Order: Chair Al Guck called the meeting to order at 7:00 p.m.
2. Roll Call: Members present: Al Guck; Steve Niklaus; Larry Smith; Bill Arendt; Barry Schultz; Alternate Linda Dircks, Planning and Zoning Administrator Ben Oleson.

Others in Attendance: Randy Unzicker; Ray Hogrefe; Troy Johnson; Dean Flygare; Alex Evavold; Rebekah Foster; Rick Riesgraf; Rick Suddendorf; Agris Kelbrants; Steve Mertens; Matt Hannefin; John Grangroth; Dan Geiger; Karen Flaherty; Sean Flaherty; Pat Lutz; Jeff Lutz; John Selvig; Jon Berkland; Doug Lawman; Traci Lawman; John Schutz; Steven Schmidt; Andy Williams; Tina Williams; Ray Sawicky; John Sicoor; Online Stacy Grega; Steve Sanocki; Maria Sanocki.

3. Additions or Deletions to the Agenda: A motion was made by Smith, seconded by Arendt, to accept the agenda. Motion carried unanimously.
4. Public Hearings

€ (Tabled from December 2021 meeting) **Proposal:** *This application was tabled at the December 14, 2021 meeting so that the applicant could present a revised plan that would not extend more than 2 ft. closer to the lake than the existing dwelling (no closer than the lakeside bump out of the existing dwelling). The revisions requested were also to ensure the new septic system met the required setback from the new dwelling additions. The applicant has not yet submitted revised plans but has indicated that their revisions will involve squaring off the east end of the house as previously proposed (removing existing 10' x 12' entry porch and replacing with a 12 (or 14) x 24' basement plus main level addition extending at most 2 feet closer to the lake than the main dwelling. In addition, they would construct a 12' x 20' addition to the north end of the existing dwelling. They have indicated that they are likely to abandon the previous proposal to add a second level above the existing house.*

- a. Requests related to the expansion of an existing dwelling. Approvals required include variances to expand an existing dwelling outward and adding a second story with the enlarged dwelling being located approximately 47 feet from Pleasant Lake (min. 75 feet required) and approximately 14 feet from a side lot line (min. 15 feet required).
 - i. Applicant: Sean and Karen Flaherty
 - ii. Property Owner: Karen M Flaherty Rev Trust
 - iii. Property address: 11381 89th Street NW, Annandale
 - iv. Sec/Twp/Range: 19-121-27
 - v. Parcel number(s): 206062000280

€ **Zoning:** R1 - Urban/Rural Transition / S2 - Residential-Recreational Shore lands, Pleasant Lake (General Development lake)

Sean Flaherty addressed the Planning Commission.

Flaherty: Explained changes in his plan. Bring first level even with the bay. Put an addition onto our lake home. Within the boundaries we had discussed last time, east expansion and north expansion – impact septic.

Oleson: Revised drawings show that the red, existing tank that is going to be removed and blue tanks are going in - to be septic tanks will meet required setbacks from proposed additions and property lines, drain field will be 11-12 feet from the garage. Normally – standard requirement is 20 ft. away. Administratively, we can allow – not too big a concern. Technically we are granting a variance to that if approved as presented. Addition will not be to the lake side except for squaring off the corner, and also squaring off the back corner. Not going over the deck as before. Add one story addition to back side. May go to two stories on existing house. Main thing – not going out to lake. The corner is even with the bay window.

Flaherty: Left side of drawing is the east expansion. I'd like to bring that even with the bay. The one on top is existing – one below is what it would look like from the lake.

Oleson: Side yard setback proposed addition would meet 15 foot setback, second story will not as it will be the same as existing house, then we have lake and sewer setbacks for variances requested.

Guck asked for comments from the public – in person and online. There were no comments.

Smith: You said possible second story addition? Would that need a variance?

Oleson: Yes. From lake setback and side yard setback to the west. The addition itself on the north end is meeting all setback requirements right now but being added to something that does not. And septic variance being closer than 20 feet from the garage. Revised plan: 11.6. 10 feet to property line is the minimum required. New tanks are meeting setbacks. Here on west side – 12.4 is second story above existing house. Lake Setback is supposed to be 75 and it will be 55.4 to closest corner.

Smith: You did everything we had suggested. Smith is OK.

Schultz: Blocks going straight down. Not expanding the basement?

Flaherty: Bay window is only on the main level. We would not bring it out to be even at the main level – not at the basement level.

Schultz: It would cantilever out? Your plan shows blocks going all the way up and down.

Niklaus: Something closer to the lake than before?

Oleson: That one corner will come out as far as the bay window was. Not over the deck though.

Flaherty: Square off the bay window only.

Oleson: Impervious

Bill Arendt: Do you have to replace footings?

Guck: Do you have to replace new footings for everything?

Flaherty: Not other than digging down the pink addition.

Dircks: No comments.

Smith: Ben - Clarify the foundation plan again? Looks like you are jogging out the foundation all the way out to that bay window– coming out 2 feet further.

Flaherty: That is what we would like to do.

Smith: I interpret that as the foundation.

Two rectangles – where we are connecting it to the bay. Makes main floor – kitchen area bigger...

Smith: Still going two feet closer to the lake in the basement.

Schultz: You had said you were going to cantilever it. Footings should stop here – and then it should cantilever out like the bay window had.

Flaherty: Basement picture - We could cantilever. We thought once we were approved up above – we could dig that out so I could get an extra 2 feet in that room. It is a walk-out.

Smith: It is going to be closer to the lake on lower level as well as upper level?

Flaherty: Yes.

Guck: Original drawing was straight out.

Flaherty: As long as we didn't exceed going any further than where the bay was – we were good, is what I understood.

Bill Arendt: Basement wall is going out two more feet to hook up to the cantilevered part.

Guck: I thought it was going straight out from basement foundation. Don't usually allow any additions going closer to the lake.

Flaherty: I thought because the bay was already 2 feet closer - that allowed us to get that 2 feet.

Barry: Foundation is going to past where the other end of the bay was.

Flaherty: Lower level will come out from this corner. This part in line expansion from this. It will be 2 feet closer to the lake.

Karen Flaherty: I thought at the last meeting that we could do that?

Smith: I felt it would not go closer to the lake.

Guck: Keep the bay the way it was. Other addition not any closer but square off that part.

Niklaus: Linda – just so you are aware – previous proposal was to bring the whole house closer to the lake.

Oleson: They were going to build out over the deck previously.

Flaherty: I don't want to table this again. We are trying to get a bedroom into that spot underneath. I am worried that the 2 feet might take away – it might impact what we are trying to do with the utility room.

Niklaus: Go the other way?

Flaherty: Then we have to revise the septic. I thought if we didn't go any closer to the lake than the bay – that is where we are getting our signals crossed.

Schultz: If you cantilevered – you would have to tie into floor joists that you have.

Flaherty: If we do go up to a second floor – it will be on the blue square existing – not the expansion, is our plan right now. Have not decided yet.

Guck: Does the soffit come out 2 feet closer?

Smith: That's the only way it will work. We are in agreement. It's going to come out. But it is not impacting the lake area – closer to the lake.

Oleson: Patio in front of it or grass?

Flaherty: Patio or a walkway.

Schultz: Patio won't go any closer to the lake?

Flaherty: No. Need to get sidewalk to the deck.

Guck: Any other discussion? Get notes from last meeting?

Oleson: My notes say - 2 feet maximum closer to the lake – but up for interpretation about the first floor versus the...., question your contractor about going back toward road with the addition, move septic tanks – were the three things I had as to why you were tabled.

Niklaus: I make a motion to approve the requests based on the findings of fact and conditions of approval – related to the expansion of an existing dwelling outward with the enlarged dwelling

being located approximately 55.4 feet from Pleasant Lake (min. 75 feet required). All additions will meet the required side yard setbacks by themselves, but the existing dwelling is approximately 12.4 feet from a side lot line (minimum 15 feet required). The proposed drain field would be within 11.6 feet of the existing garage (minimum 20 feet required).

Smith: Seconded the motion for discussion.

Smith: Is the 55.4 the existing house right now? It will stay in line with that? I am good with that.

Motion carried unanimously.

Oleson: Just for clarity – Are you allowing for basement portion to come out?

Niklaus and Smith: No. Just the existing house. 55.4.

Oleson: 55.4 is where your wall can be, from ordinary high water mark.

Oleson: Have your contractor or surveyor mark the ordinary high water mark.

The following are the conditions of approval:

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, hydro seed or other forms of temporary cover until vegetation is re-established.
 2. The applicant shall submit a permanent storm water 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.
- b. Requests related to the replacement of an approximate 27' x 28' existing dwelling and lakeside attached open deck. Approvals required include a Variance to construct a 24' x 36' 1.5 story home with walkout basement and a 12' x 20' attached open deck within a bluff.
 - i. Applicant: Steven Schmidt
 - ii. Property Owner: Glendale Club
 - iii. Property address: 11748 90th St NW, Annandale
 - iv. Sec/Twp/Range: 18-121-27
 - v. Parcel number(s): 206000182400

Proposal: The applicants are proposing to tear down the existing cabin and replace it with one whose foundation would be in the same location in relation to the bluff behind it, but whose main level would be cantilevered out over the bluff an additional four feet. Because setbacks are measured to the furthest extension of the house the change would require a variance from the requirement to not build in a bluff.

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

Steven Schmidt addressed the Planning Commission.

Schmidt: Dwelling originally built in 1908. Re-habbed it with my grandfather. I was 30 when I purchased it. It is 34 years later. We've been looking to replace the cabin in essentially the same footprint. Looking to rebuild that cabin. Cannot re-hab due to condition of foundation. Three contractors said not to re-vamp, but tear down and replace it.

Schmidt: I requested a variance probably 6 years ago – and it was granted - but did not build. We back up to a bluff. We can't touch the bluff. We are looking to cantilever the cabin 4 feet out the back. Will be 2 feet above ground level. No disruption to the bluff.

Oleson: Simple part – this is a bluff setback variance request – 4 feet closer to the bluff. That is the reason for the variance. Also – this is a unique property – I don't think anyone disputes that a group of people – a club – owns the property. The club owns everything – the buildings and the land.

Schmidt: Land is club property. Each of 7 members owns their cabin. Dispute – 4 of 7 member represented here today. One will say none of us own the cabins. We own a membership, but nobody owns the cabins. We've been battling this around for ten years, to the point that I had an attorney and the club had an attorney. Comments were presented to the attorney over a long period of time. At the end of the ordeal – settlement legal was signed. Now there is discussion that it is not good enough. There is that is complexity. Other club members can address this question. We have both views here at the meeting.

Oleson: There is a common sewer system. Everyone goes into the same drain field. Comment submitted saying that this is adding bedrooms. The way I understand it is that sewer was not designed based on the number of bedrooms, it was that it is a septic based on seasonal, light use. They used a different process for designing – based on gallons - 250 gallons per day per cabin. Some comments – looks like he is adding bedrooms, can the sewer system handle that?

Oleson: Our ordinance says you have to be so far from the bluff and he is going closer – so that requires a variance - and we also get into the sewer issue. All these issues about – does the club have to approve everything – unanimous vote or super majority? Clearly none of that is covered in our Ordinances. The way we were going into this, initially – is this just a private matter and we stick to the bluff and sewer or do we say when we take a variance application do we assume the owners have signed off? Being that there is a dispute – should we accept – the part about the owners agreeing – is a private matter? We stick to the bluff and the sewer. Or do we say there is a dispute – should we not accept an application when there is a dispute? We decided to accept this variance request – the other dispute is internal – the club has to figure out. That is how we've done it so far. The private matters remain private matters. We decide the bluff and septic issues. If you deny the variance – it is done, but if we grant the variance – they will have to decide the private matters. We are going to accept the application. The private matters are private matters. The township will just look into the bluff and septic issues.

Guck: Is it getting bigger or isn't it?

Schmidt: It is not. 2 bedrooms on main floor – and a half bath upstairs and at least 2 beds, if not 3 up there. Right now we have 4 beds – and the new cabin will also have 4 beds. A half bath upstairs – that is what we have planned - and 2 bedrooms with a bed in each bedroom. Originally it was going to be a bedroom and a den on main floor. You can use the den as a bedroom.

Niklaus: We stick to ordinances – that is our jurisdiction. The other issues need to play out outside of this. You said it won't touch the bluff – and Ben said it would be 4 feet closer into the bluff.

Oleson: It is being cantilevered – so the foundation will not go any closer to the bluff. My understanding is that there is no digging into the bluff. The main level will be 4 feet closer through a cantilever - but will float over the bluff area, so to speak.

Niklaus: What is the exact variance being asked for?

Oleson: When you measure for setbacks – you are measuring to the furthest extent of the house, even if cantilevered.

Guck: Asked for comments from audience.

Agris Kelbrants, Vice President of the Club: Non-profit organization owns the property and also all the buildings and cabins. Members only own a membership to occupy the cabin that was purchased. My understanding is the soil and conservation people made comments – relative to the bluff and creek. Our legal people say how can a person tear down a cabin – which you are to maintain, preserve, protect and rehabilitate as the by-laws state. If you don't own the property or the cabin - how can you have a legal right to come before a variance committee to ask to have something removed?

John Schutz: I was President at the time the settlement agreement was signed. I'm in agreement with Ben and other board members – this has been an internal dispute. A settlement agreement has been executed. There is a legal remedy for those people who are in disagreement with that.

John Selvig – owner of cabin 5: Response to Mr. Kelbrants comment – there are no legal people the club has hired right now, regarding the watershed or anything. There is no club-sanctioned approved legal representation going on right now. Anything said different than that is not true. I wanted to make that comment for the record.

Selvig: It's already been violated numerous times.

Schultz and Selvig ask that the Planning Commission Board consider the variance request on its merits – and not bring the club's internal legal matters into the request.

Kelbrants: Clarification: Gone to attorney general's office and MN 317A states that a non-profit organization regulates private, non-profit clubs. They are telling us that we are violating state statutes by doing what Steve is asking to do. All the internal laws state that we are supposed to preserve and protect the original cottages and the sizes. As for John's question – he said that everything was done legitimately. There was a settlement agreement. 5 of us signed a disagreement with everything that was done. John Schultz was the President at the time. He signed the documents without the 7 members' approval. That was illegal. We disagreed and so for three years, nothing has been done on Steve's part. We want to peacefully resolve this issue. This should not be a township issue. He shouldn't be here because he doesn't own the land or the cabin. It is an internal issue.

Guck asked if there were online comments.

Oleson: Dan Nadeau from Soil and Water District was initially concerned if there were a net increase in impervious coverage in terms of a bluff area – he was not in favor. Follow-up e-mail saying that as long as the impervious coverage did not increase – he did not have a concern.

Oleson: I calculated 4 x 24 area was being added in a bluff area – a portion of existing house will be removed from the bluff area. I calculate a 6 sq. foot net increase. The deck is getting larger on the side. It is going to go away on the front – the existing wood deck in the front will be gone. We don't have a survey that shows exactly where the bluff stops, but at some point in the middle of the cabin – I feel the bluff stops. There is still a slope. . If we follow Dan's suggestion – we would not allow even the 6 square foot increase.

Schmidt: We can make the deck 6 square feet less.

Oleson: Other comments were from members of Glendale Club: Jonathon Everts, current President: Notes that he signed letter – internal stuff – other issues maybe he shouldn't have signed it. So I think that primarily has to do with the internal issues.

Patty Burns wrote an email. Member – excavation into the bluff – digging down into the bluff. Schmidt says no. Septic system and a well – where would they go?

Schmidt: Water supply comes out of a cistern. A number of other cabins have sand point wells. Will stay on the cistern if sand point well is not allowed. We all have running water.

Agris Kelbrants: Internal issues. I think he covered these in his comment tonight.

Scott Burns: Number of comments – about internal issues. Comments about the sewer and size of building – enlarged or not enlarged?

Scott Burns – online comment at meeting: I took the time to fill out your application – based on points of interest your Town Board asked. A lot of unanswered issues. The action – if you want to go with settlement agreement –there is a bigger building – not in agreement with the settlement agreement. More bedrooms, more bathrooms. A misnomer to say that this will not affect the neighboring areas. That permit should be in the club's name. Club owns the land and the buildings. I am on a Town Board. Who is requesting this? It should be the property owner (which is the club).

John Schutz: I did provide Ben with minutes of the meeting – not only approved the plan that Steve is proposing – but also approved the settlement. It is something we want to go to here. What we've assumed in the past. There is a remedy for members. They can seek their attorney to fight the settlement.

Guck: This is an internal issue – without 7 signatures – why did we even get this?

Niklaus: Do any of the members in the club dispute the request for the variance, outside of questions about ownership and the authority to build, do you dispute the request itself? Our request is to build 4 feet closer into a bluff.

Scott Burns: Stated objections – bedrooms, toilets, etc.

Schmidt: Size of the structure is actually smaller than it was when I bought 30 years ago. The number of beds is still the same as existing. Size of my family is the same. Right now, we have the smallest cabin of the 7 cabins. There is far less pressure on the septic system from our cabin than others that are multi-family cabins. Ours is single family cabin. Not going to be a bathtub in there. Shower and bath on main floor – want half bath on second floor. One or two toilets are all going to the same place.

Niklaus: I believe we should move forward to give Mr. Schmidt a response, knowing that the response may be objected to by the club. At least Schmidt will know if this is possible to do.

This is our only jurisdiction. Whether they approve or not – our only questions are: 4 feet closer to the bluff and septic system question.

Schultz: I want to build a new house on the old man's land. Unless we have 7 signatures – I don't think we should even deal with it.

Smith: The legal part – that is your battle. I agree with Steve – tonight's decision is about the bluff and about the septic. One or two bathrooms – will sue x amount of water depending on number of persons living there. I don't have a problem with what you are proposing. Stay to the same square footage – not 6 square feet over. Get it back to right size. Our job is about the structure – not the club's legal internal problems.

Schmidt: I realize I will have to deal with internal issues. I have 3 years to figure out the legal part, right?

Arendt: The septic is for the same number of people in the cabin. As far as the bluff – it is being cantilevered out – so it doesn't relay impact the bluff. I'm fine with it.

Guck: Not going closer to the bluff, further from the lake, septic - technically not getting any bigger, same footprint – I don't have a problem with it.

Scott Burns: If you grant him a variance – you are giving him the right to go toward the bluff and to expand his cabin. He would not need a variance if he stayed in the same footprint. That is my contention.

Niklaus: Motion to approve requests related to the replacement of an approximate 27' x 28' existing dwelling and lakeside attached open deck. Approvals required include a Variance to construct a 24' x 36' 1.5 story home with walkout basement and a 12' x 20' attached open deck within a bluff. No increase in impervious. Septic issues must be resolved with Ben Oleson, based on the findings of fact. Variance is there – but you must resolve your issues internally with the club.

Second: Smith. Make cabin a little smaller to stay within the 6 feet less. Don't expand, make cabin 6 square feet less. I'd like it to be structure size.

Schmidt: That in itself would keep impervious sq. footage the same.

Niklaus: This would allow you the variance – so that you can deal with the rest of the club's issues.

Schmidt: All of the cabins have changed footprint over the years. Most added a bathroom. When I rehabbed it – we cut down one of the bedrooms. If Larry's looking for 6 feet – if I cantilever the back out 3.5 feet – it is 6 feet. Are you OK whether I take it off the back?

Smith: Stay away from bluff as far as you can. 3.5 cantilevered instead of 4 feet cantilevered.

Niklaus: Amend the motion. Smith amend the second to 3.5 feet cantilevered, rather than 4 feet.

Secretary for the Glendale Club: Regardless of what happens with the variance tonight – does it then go on to a permitting process?

Oleson: He would still need building permit, building plans, building inspector would review the plans for code compliance and then issue the permit. Administrative Oleson and building inspector.

Secretary for the Glendale Club: I was part of Patty Burns' comments. Wanted some clarification on the process. Are we overlooking other state or county requirements? Club – don't want to put ourselves in a non-compliant situation say with the septic. I don't think the numbers are clearly hammered out. Ex: Storm water running into the creek – adjacent to cabin 2 – runs between cabins 2 and 3 which are tight together. Ideally, I am not making

comments around the settlement agreement, or by laws or policies of the club – I am concerned that we are complying with all regulations with other agencies or local authorities. Guck: I assume there are lawyers for that, but we are just dealing with the structure itself and the building variance.

Niklaus amended the Motion, and Smith amended the second – the size of the encroachment toward the bluff on the west side shall be reduced to 3.5' x 24' from the proposed 4' x 24' - along with Findings of Fact and conditions of approval.

A motion was made by Niklaus, seconded by Smith to approve the following with the findings of fact and the following conditions of approval:

Variance approved:

Variations to construct a 24' x 35.5' 1.5 story home with walkout basement and a 12' x 20' attached open deck within a bluff.

Conditions of approval:

1. There shall be no net increase in the impervious coverage within the bluff as a result of the project.
2. The size of the encroachment toward the bluff on the west side shall be reduced to 3.5' x 24' from the proposed 4' x 24'.
3. 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.
4. 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.

Barry Schultz opposed. Everyone voted in favor except Barry Schultz. Motion carried.

- c. Requests related to the operation of a vacation rental. Approvals required include an Interim Use Permit to operate a private/vacation home rental involving both a primary single-family dwelling and a separate guest house.
 - i. Applicant and Property Owner: Rebekah Foster
 - ii. Property address: 11920 Knox Ave NW, Annandale

- iii. Sec/Twp/Range: 5-121-27
- iv. Parcel number(s): 206000052106

- € **Proposal:** The applicants are proposing to make use of the existing home and the secondary guest cabin as part of their vacation rental. They are currently authorized to make use of only the main dwelling and are limited in the number of guests unless an interim use permit is approved. They are requesting allowance for accommodating up to 14 guests in the main home and up to 6 additional guests in the guest house.
- € **Zoning:** R1 - Urban/Rural Transition / S2 - Residential-Recreational Shore lands, Bass Lake (General Development lake)

Rebekah Foster: Vacation rental: we'd like to increase occupancy rate – 5 bedroom, 3 bathroom house and we can only have 10 people stay there. There are 2 structures on property. Guest cabin is 2 BR, 1 bath. No changes to the structures. Want to use both structures on the property for short term rental. Right now we can only use one or the other.

Oleson: Interim use permit application for short term rental. This application is needed because they wish to use 2 buildings instead of one main house – the other issue is the sizing of the septic system – they are asking for more than what the system is designed for. 75 gallon per person, that they expect to have there, is more than the system was designed to handle.

Foster: Main thing – system was installed by previous land owner. Bought in October. Have not used as vacation rental. Had first guest over Christmas and then New Year.

Oleson: Couple of weird things in sewer system: Holding tank for guest cabin. At some point they connected it into the rest of the drain field. The rest of the drain field says it was designed for 3 bedrooms. That was part of the reason to keep the guest cabin separate. Pre-treatment involved in that system makes it designed for a 5 bedroom, instead of a 3 bedroom. I checked with County Staff and Bernie Miller. Both had concerns about system handling 14 people in main house and another 6 in guest cabin. Miller – it's not that is can't or won't work. Twenty years it was not monitored – so he has not idea of the condition of the system. The concern with vacation rentals – how much water if going through that system. Miller has some ideas on how to monitor the system – but nothing in writing. If there was such a plan – we would want to have the county staff review that and make sure they are OK with that. Interim use – area of protection for neighbors and township is that it is only for a certain period of time. Then it would have to be renewed. One option is to set a time limit. Most have been 2 years. Maybe you want to do 1 year due to uncertainties with the sewer system– then if monitored and not working – then they have to come up with a plan to make it work or not renew the permit as a vacation rental.

Foster: In regard to septic system – we don't know that it does not work – just hasn't been monitored. We can set up a monitor device on system itself – once it hits a threshold – then it goes to Bernie Miller's staff and he comes out and pumps it. Then we can see how the septic system is performing - gets too full – need to pump it - we are more than willing to do that. We want to make sure it does not fail.

Niklaus: Do you have a parking lot? You might need one with all these people.

Foster: It is not really a parking lot – it's – on report - right below blue - that is the parking lot. That is the turn in for the garage. Most of the people are interested in short term rental – 8 or 9 people. My family could not go to the cabin if too many people there renting.

Guck: Any comments:

Online – Linda: My concern is that 5 bedroom home with 2 bedroom guesthouse with 20 people does not seem right. It goes above what the lake, township allow. Wildlife, loons, sounds, politeness on our lake. We are concerned about that. The septic – if it does not handle this – that is a problem as well. There are concerns for having 20 people on lot this size.

Foster: This has been a short term rental for at least the last decade. Not outside normal parameters. I just purchased in October. We are protecting environment.

Audience member: Compliance done?

Foster: Compliance done December 14, 2021.

Audience: Have you had system evaluated by anyone? Is there a threshold – we are at this level – Bernie Miller needs to come and pump. They will not stop using water.

Ray Sawicky: 4 or 5 doors down from you. I've seen this - there is no supervision – 8 guys on pontoon – not saying it was your place - 3 AM – when I was young I probably would have done the same thing. There has been a lot more than 10 people on that beach. Another rental on the lake - there are another couple guys that had to put up a fence. Not that I don't want you to rent – but there has to be guidelines. There has to be some way to watch. You add more people – they bring friends – you have 20 – and then you have 40.

Foster: Not renting privately. I am going through appropriate channels. Strictly forbid any parties. If you have registered guests – ring doorbell – if too may come – I can kick them out.

Audience: A home next to mine is vacation rental. It is the worst thing that we've ever had. Your neighbors will not like it. They will want to sell their homes and the values will go down. I wish the township would quit allowing this. If you keep doing this – people will want to get off these lakes. She has good intentions – but when you start making money – she won't care.

Guck: VRBO discussion is later in the agenda.

Steve Sanoki: Comments are related – the more people you have in the rental – the crazier it gets. We have one next to us and it has been miserable. Will hold my comments until later.

In house audience Bass Lake: I want to oppose the use permit to expand the number of people – my experience is more people, more problems. I oppose expanding number of people allowed on the property.

Dave Strom online: I am hearing promises, not hearing consequences. Whatever promised are made – I would like to hear the consequences. Have to deal with these things individually and take these things on themselves. I would like to see that promise we are not going to hurt wildlife – not drive into loons – which we've seen on jet skis - how is this group going to solve those problems and not leave it up to property owners on the lake?

Guck: No more audience comments – we will close the public comments on this application.

Niklaus: I don't think there is room to park. There is not sufficient room to park. They come 1 or 2 in a car. With the number of people you are asking for – that is going to be an issue.

Maximum now?

Oleson: Without a public hearing – start with sewer design – 75 gallons per person – up to sewer capacity. 450 gallons – some confusion over that. That is for 6 people.

Foster: Water flow – we are ok with 10 people.

Oleson: That is where there is confusion. It is somewhere between 6 and 10. Unique – pretreatment tanks are designed for certain amount, drain fields are designed for certain amount – and they may not be the same. So somewhere between 6 and 10 people.

In order to use 2 cabins – need IUP. If she wanted to stick with 6-10 people and stick with one cabin rented – she would net need an interim use permit – based on our current ordinance.

Foster: I would like to change main house to 14 person occupancy and guest cabin to 6 people, so essentially – my family can stay in the guest house.

Arendt: 20 people is a lot of people. Parking issue. I have an issue with the septic. 20 people – 2 or 3 houses – it doesn't matter - a lot of people on the beach, I think you put 10 in the house. 6 in guest house – that is 16 – but still a lot of people. It seems to me that this is a lot of people. I have an issue with the septic.

Dircks: Parking for neighbors – it's an issue for that many people. Most likely that is a lot of traffic. Likely that the neighbors will be finding them in their driveway. Septic is a problem.

Foster: 6 cars in driveway – and we own space across the road that can hold an additional 2 cars.

Smith: Not in favor of IUP at all. Parking is issue. Monitor septic system for a year – and then see for yourself and for everybody. Too much traffic in that small area and lake.

Schultz: Agree with Larry Smith.

Niklaus: IUP approved to 10 people?

Oleson: The septic is designed for 6-10 people.

Guck: Will that appliance check both systems? One drain field? Both being pre-treated?

Oleson: Sewer from little house (both houses) goes go into pretreatment tanks, etc.

Guck: 10 people total – use both houses – but 20 people on that lot – does not seem...If you say what you are going to do what you say you are going to do....keep tabs on people - we will see what happens.

Niklaus: Do you have other real estate companies?

Foster: We are an active real estate company. This is our first VRBO.

Niklaus: Are you familiar with Corinna's VRBO policies?

Foster: I am not.

Arendt: Made a motion, based on findings of fact – IUP max of 10 people total in combined houses. Expires in one year, 12/31/2022, gives you one year – come back in one year. Then see what's going on.

Niklaus: Second the motion. Question - IUP for VRBOs but we're limited to ten based on septic?

Oleson: Different – pretreatment aspect. Others have been standard septic systems.

Guck – I would like to see it monitored. If we are going to grant 10 people – both tanks be monitored. Septic professional monitors. Some kind of report from septic professional for next year.

A motion was made by Arendt, seconded by Niklaus, to approve the request as follows, based on the relevant findings of fact and conditions of approval noted below:

Interim Use approved:

Interim Use Permit to operate a private/vacation home rental involving both a primary single-family dwelling and a separate guest house.

Interim Use denied:

None

Conditions of approval:

1. The maximum number of guests allowed shall be ten (10) combined in both the main house and the guest house.
2. The interim use permit shall expire one (1) year from the date of approval or sooner if another triggering event listed in the ordinance occurs prior to that date. Upon

- expiration, the applicant may re-apply for a new interim use subject to the requirements of the Township ordinances at the time.
3. The applicant shall develop and implement a monitoring plan for the septic system with a licensed professional designer certified to work with the type of septic system currently on the property. That plan shall be submitted to the Township for approval and the licensed designer shall submit a report to the Township indicating whether the septic system is showing evidence of being overloaded or not working as it should.
 4. The applicant shall meet all applicable requirements of Section 781 of the Corinna Township Land Use Ordinance including, but not limited to, clearly demarcating the boundaries of the property with a fence, signage, landscaping or other method as approved by the Zoning Administrator. This shall be completed by no later than June 1, 2022.

Larry Smith opposed. Everyone voted in favor except Larry Smith. Motion carried.

- d. Requests related to the construction of a bedroom addition to an existing dwelling. Approvals required include a Variance to construct a 9' x 10' dwelling addition approximately 7 feet from a side lot line (min. 15 ft. required) on a lot that has approximately 27% impervious coverage (max. 25% allowed).
 - i. Applicant and Property Owner: Douglas and Traci Lawman
 - ii. Property address: 6411 80th St NW, Annandale
 - iii. Sec/Twp/Range: 25-121-27
 - iv. Parcel number(s): 206017003060

- € **Proposal:** The applicants are proposing to enlarge their existing dwelling to the east side so as to accommodate an enlarged master bedroom. The addition would be within the required 100 ft. lake setbacks and the 15 ft. side yard setback and while it would be partially located over what is already impervious coverage, it would add to the existing coverage. It appears based on the submitted survey that the site exceeds impervious coverage when it was not allowed to as the result of a recent landscaping project. In addition, the dwelling addition is proposed on a house that is served only by holding tanks, which is not allowed by ordinance.
- € **Zoning:** R1 - Urban/Rural Transition / S2 - Residential-Recreational Shore lands, Somers Lake (General Development lake)

Doug and Traci Lawman addressed the Planning Commission.

Traci Lawman: Existing bedroom – 10 x 10 including closet – we want to extend it out 9 feet.
Oleson: Explained where addition would go. Side yard setback variance - normally 15 feet setback – this would be 7.5 feet only. Dog kennel – this is a survey of the site – showing 15 foot setback – that corner of house is 9.6 feet – this corner would be closer. Other issues: there was a mound system on property that was failing. Inspection – failing – fix done was to install 2-2,000 gallon holding tanks. Typically – you cannot expand your house on a holding tank. Existing house is within the lake setback of 100 feet. Site overall, is at 26.9 percent impervious coverage. Landscaping project a couple years ago – I reviewed impervious without a survey. Had conversations with landscaping company – condition was to provide an “as-built”. Bottom line is

we do not have an as-built survey as 2 contractors left the company. We did get an as-built from the Lawmans now. The site is over 25% impervious coverage. It was not permitted to be that way.

Owner Traci Lawman: 2011 – Town Board Meeting Minutes – original owner got variance for 7.5 feet on east side when he was building the house. He never went to 7.5 ft. but was granted that variance. As far as the septic system – they could not put another mound system in – that’s why we put in holding tanks. Mainly due to soil and how compacted it is – no place for the water to drain. When system failed – it was not to code – not far enough away from our house.

Mr. Lawman: Back then – the mound system had a variance to be closer to the house.

Traci Lawman: We doubled the size of our holding tanks and have one less person in our house. I don’t see what the holding tanks have to do with adding onto the bedroom.

Mr. Lawman: Still one bedroom – 10 x 10. All other bedrooms are upstairs. Addition is to make 10 x 10 bedroom bigger. Fill in the concrete patio with a building. Removed the dog shed.

Removed 71 sq. feet – we are going to need 90 sq. feet for this addition. We are not doing this to increase the value of our home. We are doing it so we can live on the first floor. I have medical issues that will need me to live on first floor.

Guck: Comments from audience? None. Closed public comments portion.

Smith: Small addition – will cause a major roof design. It is going to be a major expense for a little bit of gain.

Mr. Lawman: We talked about going into the garage, nothing seemed to make sense.

Traci: Took out shed, taking out concrete, for - 71 square feet. We are 19 feet short.

Mr. Lawman: Survey mentions retaining wall versus the other mentioned boulder walls.

Oleson: We count the boulders as 50% impervious.

Smith: Septic – there are designs that are expensive but available.

Lawman: We worked with contractor for a year.

Smith: Worked with just one septic contractor?

Lawman: We had 2. Our tanks are monitored. We have it on an alarm. When we bought property there was no alarm. We think it was failing for 2 or 3 years. We would prefer a septic system. We would have paid for it.

Flygare: Talk to an Advance Designer – like Bernie.

Lawman: Elmer J Peterson pumping is reputable in Wright County. He did borings. We removed the tank to preserve our lawn.

Smith: I’ll take your point – but my point is that we are still requesting an addition on a holding tank.

Lawman: What does it have to do with a holding tank? What does it have to do with a holding tank?

Niklaus: Volume doesn’t help. You are raising your voice.

Smith: State Statue.

Oleson: Situation where someone wanted to add a living space, not a bedroom on a holding tank. Planning commission at the time said – it is just like a lofted area. State law says we have to be as restrictive as the County. County Ordinance says no expansions on holding tank. The County came down on us, saying we were not being as restrictive as the County. We cannot be less restrictive. This is a state law that we have to be as restrictive as the county. It says no expansion on holding tank.

Traci Lawman: Can we go to the County?

Smith: Talk to Bernie Miller – and ask if there is a way to put in a septic system. Use him as another option.

Traci Lawman: There isn't. Why is Bernie the only one?

Smith: He is not the only one.

Flygare: There is a difference between designers. You don't need to use Bernie – but you need to look for an Advanced Design.

Mr. Lawman: Let's say we are going to do that...spend extra money to put in another system

Smith: Remove impervious to get to right number.

Traci Lawman: Remove hot tub...Sorry. I get emotional.

Smith: My job isn't easy up here either.

Oleson: Survey – get down to 24.

Guck – Not get any more impervious?

Mr. Lawman: Top landing – boulder steps. 24.5 or 26.9.

Oleson: Survey is more accurate than landscaping company's drawing.

Guck: Get septic figured out.

Traci Lawman: What if Bernie Miller says it can't be done?

Oleson: In fact there was a drain field in there before.

Mr. Lawman: If we get septic design approved – can we move ahead with the addition?

Guck: Side yard setback is a concern.

Oleson: 2011 variance - that variance is expired. They expire in 3 years.

Niklaus: - Need to table this. What I'd like to see is under 25 percent on impervious. Septic thing – our hands are tied.

Bill Arendt– I agree with Steve Niklaus,

Linda Dircks – I agree with Steve Niklaus.

Mr. Lawman: Requiring a survey? Or just trying to do what we can?

Traci Lawman: May I make one comment? It makes me mad. In our neighborhood, there are people who have had variance passed, and they say they are going to remove things, and they never do. We are trying to be honest here. The neighbor right next door did not remove what they promised in their variance. Never took down the shed.

Niklaus: Made a motion to table request so that the applicant can explore whether the installation of a drain field is possible and to look at ways to ensure a net reduction (or at least no net increase) in impervious coverage. Arendt seconded. Motion carried unanimously.

- e. Requests related to the subdivision of land. Approvals required include a Preliminary Plat and Conditional Use Permit approval for a 4-lot residential subdivision. Three lots would be approx. 10 acres in size and the fourth would be approx. 45 acres in size.
 - i. Applicant and Property Owner: McDermott Living Trust
 - ii. Property address: 11765 Ireland Ave NW, Annandale
 - iii. Sec/Twp/Range: 3-121-27
 - iv. Parcel number(s): 206000031200, 206000031100 and 206000031301

€ **Proposal:** The applicants are proposing to split three existing parcels totaling 77.8 acres in size into four residential lots plus one small 0.45 acre outlot. The plat would be known as "Little Hawk Park". Three of the four residential lots would be just barely above the 10 acre minimum lot size and the fourth would be 44.78 acres in size. All lots would have road frontage off of

Ireland Avenue, an existing Township road that is paved for the Lot 4 and part of the Lot 3 frontage and gravel for the remainder of the subdivision. Lot 4 would be the narrowest of the lots at 345 feet and as such all lots would meet the minimum 300 ft. width required. There are numerous wetland areas throughout the plat, but all lots appear to have enough buildable area outside of those wetlands. Lot 1's buildable area appears the most limited after accounting for the minimum 130 ft. road centerline setback required from Ireland Avenue. Lot 2's access to the buildable area outside of wetland areas is very limited, but appears to have enough based on the location of the existing driveway leading to that lot.

€ **Zoning:** AR - Agriculture/Residential / S2 - Residential-Recreational Shore lands, Long Lake (General Development lake)

Tom McDermott addressed the Planning Commission remotely, via RingCentral.

McDermott: Subdividing and doing 3 lots plus my house. I can answer questions.

Oleson: This is the property. It is 3 different parcels that they own. 78 approx. acres – looking to split into 4 lots and an out lot. South side – lot 4 – lot 3 would be around 40 acres, lots 4, 2 and 1 are about 10 acres. Issue is that there are a fair amount of wetlands across these lots. Showed wetlands. Lot 1 – Soil and Water was concerned that there is enough buildable area, with setback to the road. Uniquely shaped – but seems ok. Lot 2 – existing driveway – existing driveway is on proposed property line. Lot 3 – existing house and buildings. Big open field. Lot 4 from here also has the wetlands on it. Have to cross wetlands, but there is buildable area. South park of Ireland Ave. is paved, as you turn corner – turns into gravel road. Minimum lot and width – they all meet that.

Guck: Questions? Close public portion.

Barry: I don't have a problem with this.

Niklaus: What happens after this?

Oleson: To Town Board for Preliminary Plat Approval, then to Town Board for Final Plat Approval, then County has to approve Final Plat. Pay taxes, get recorded, and then can start selling lots.

Niklaus: Hopefully when they sell – they can tell buyer of challenges with variances that come to us.

Dircks: No questions.

Bill: Soil and Water - Lot 4 – concerned about buildable area – might need a road coming across a wetland.

Oleson: One of those areas where Soil and Water regulate conditions: go to Soil and Water to determine exactly if you are staying off wetlands. Conditions: Has to be approved by Soil and Water – and I can require additional delineations, etc.

Guck: I don't have problem with it. 2 spots for septic?

Oleson: They did the borings. Out lot A is not buildable. It would be separately owned. Could be sold to adjacent land owner across street – or owned by anybody.

McDermott: Out lot A will stay with lot 3. It is my garden.

A motion was made by Arendt: Based on relevant findings of fact supporting approval and conditions as noted below, to approve a Preliminary Plat and Conditional Use Permit approval for a 4-lot residential subdivision. Three lots would be approx. 10 acres in size and the fourth

would be approx. 45 acres in size. Wetland have to be worked on with Soil and Water. Outlot A not buildable. The preliminary plat and CUP recommendations would go to the Town Board. Seconded by Schultz. Motion carried unanimously.

- 1) The Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.**

Findings Supporting Approval

The proposed lots 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.

Findings Supporting Denial

The proposed subdivision will place 4 more homes, at least one of which could be in fairly close proximity to state land open for hunting.

- 2) The establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**

Findings Supporting Approval

See comment #1 in the CUP criteria above.

Findings Supporting Denial

See comment #1 in the CUP criteria above.

- 3) Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

Findings Supporting Approval

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

Findings Supporting Denial

None

- 4) Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.**

Findings Supporting Approval

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 10 acres in size).

Findings Supporting Denial

None

- 5) The use is not in conflict with the Policies Plan of Corinna Township and Wright County.**

Findings Supporting Approval

See comment #2 in the Subdivision criteria.

Findings Supporting Denial

See comment #2 in the Subdivision criteria.

- 6) **Adequate measures have been taken or will 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.**

Findings Supporting Approval

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

Findings Supporting Denial

None

- 7) **The preliminary plat shall conform to all applicable official controls and all state and federal laws.**

Findings Supporting Approval

Wetland Impacts: The property contains several large and small wetlands. Any impacts on these wetlands are regulated by Wright County SWCD. There appears to be adequate upland on all four proposed lots to construct buildings without impacting any wetlands.

Lot dimensions: The proposed new parcels would meet the minimum requirements of the relevant zoning districts, which are 300 ft. wide/10 acres (A/R zoning).

Storm water Management: See discussion in #6 below.

Findings Supporting Denial

None

- 8) **The preliminary plat shall be consistent with the Corinna Township Comprehensive Plan.**

Findings Supporting Approval

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.

Findings Supporting Denial

None

- 9) **No plat shall be approved which does not conform to any applicable floodplain regulations.**

Findings Supporting Approval

This property is not located in any designated floodplain area.

Findings Supporting Denial

This property is not located in any designated floodplain area.

- 10) 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.**

Findings Supporting Approval

The applicant has provided information with their application indicating that the proposed lots can be sewered as required by Township, County and State regulations. They have also provided soil boring records.

Findings Supporting Denial

None

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

Findings Supporting Approval

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.

Findings Supporting Denial

None

- 12) 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.**

Findings Supporting Approval

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. Taking into account the expected building out of the subdivision, each lot would be allowed 10,890 sq. ft. of impervious (on average) before the total new impervious would equate to one acre and arguably require a storm water pond for the entire development. 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

Findings Supporting Denial

None

- 13) 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.**

Findings Supporting Approval

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.

Findings Supporting Denial

None

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

Findings Supporting Approval

See answer for #4 above.

Findings Supporting Denial

See answer for #4 above.

- 15) 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.**

Findings Supporting Approval

The applicant has not proposed a vegetative buffer adjacent to any existing wetlands. The Planning Commission may require such buffers if deemed necessary.

Findings Supporting Denial

The applicant has not proposed a vegetative buffer adjacent to any existing wetlands. The Planning Commission may require such buffers if deemed necessary.

- 16) 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.**

Findings Supporting Approval

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 is generally large lot residential uses or farmland.

Findings Supporting Denial

None

- f. Ordinance Amendments to Section 781 (Private/Vacation Home Rental) of the Corinna Township Land Use Ordinance. The purpose of the amendments would be to amend regulations relating to standards applicable to private/vacation home rentals.

- i. Applicant: Corinna Township

€ The Town Board adopted Section 781 regulating private/vacation home rentals in May 2020. Some of the requirements of that ordinance went into effect immediately while others (including a requirement to register vacation rental homes with the Township and/or to obtain interim use permits) didn't go into effect until January 1, 2021.

Given that this was a new ordinance and the complexities of the issues involved (including challenges relating to enforcement of some of the negative impacts that can occur with private/vacation home rentals) the Township had indicated at the time of adoption that it would seek public input after approximately one year to determine if amendments were needed to the adopted ordinance and to make changes as noted. A public hearing was held in October 2021 to gather initial public input and several comments were received. Since that time, Staff has drafted several proposed amendments for consideration, which are the subject of tonight's public hearing. Additional public input is encouraged and depending on the outcome of the public input and the discussion of the Planning Commission additional edits will be made before a final recommendation is made by the Planning Commission (presumably at the February meeting).

Ben Oleson:

Oleson: Corinna Township adopted Vacation Rental Ordinance in May of 2020. Some of the requirements of that ordinance went into effect immediately while others (including a requirement to register vacation rental homes with the Township and/or to obtain interim use permits) didn't go into effect until January 1, 2021. It's been a year – we knew we would come back to this. We know some things have gone well, some have not gone well. I put together a draft we could change. Some things are in there based on some comments we have already received. The purpose of tonight's meeting is to gather input from the public. My thought is that we will get comments and come back next month and adopt by March – so that it is in place in the spring.

Guck: Comments from audience?

Steve Mertins – Clearwater Lake: Thank you for your public service! I came here because I was next to an abusive VRBO next door. Disrespectful minors. 14 people is not 14 people. New people every weekend. Like State Fair parking. Finally septic. Septic only good for 6 people. Ben Oleson wrote them a letter. So did we. Police reports. The neighbor ended up selling the VRBO. Want to thank him again.

Shot: Started same time as you did. Lifesaver for us. We live next door. If you would rent to 20 people – we would not still be around – I don't know how you manage that.

Joe Nelson: Wife Stacy and I have a vacation rental. We've been renting a small cabin for 2.5 years. We live right next door. We've had 50-60 different groups come in. No parties. We don't want trouble makers. My one concern is minimum of 5 nights. I would like to see 3 -4 nights. I

would hate to see a minimum. Would make it hard for a vacation host for people to come and enjoy the beautiful lake.

Stacy Grega online: Add to my husband's comments - 5 night minimum – discrimination – we tailor to 6 people. A young family with 2 kids at \$225 per night – for if you look at every VRBO my husband and I want it to be an affordable place to enjoy a weekend. I've heard comments about 20 people. I know there are lots of bad situations out there. Heard a comment about renters running over loons. I've been on lake for 50 years – these are things we deal with anyway. We completely disagree with 5 night minimum. I wanted to add to that.

Oleson: Was asked to summarize online comments. First comment next to VRBO had terrible experiences – should have better specs on parking. More people cause more problems. Sewer issues. Second was a VRBO owner who supports regulations except for 5 night stay.

Joe Nelson: Guests rate the host. There is some value in keeping trouble makers out.

Andy Williams: My wife is Tina. We have a VRBO on Bass Lake. My wife is the property manager. Even though we have very clear house rules – we have had some problems. One thing we've done – in off-season – people won't rent for 5 days. Summer rentals might take 5 days – but off-season will not rent 5 days.

Josh Grangroth with Chartered Rentals and Vacations: We take care of rentals and watercraft in Annandale. Choosing and vetting your guests. We only choose guests with 5 star reviews. If they do not have a review, we check for eviction records, criminal records. I talked to a bunch of businesses – in support of vacation rental industry. We used to have resorts that took in 150 plus people. It's great to see cabin rentals come back now – in a different form. Those businesses in the area – basically – 5 nights minimum will hurt us - huge. Memorial Day to Labor Day is our peak season. That is when families can afford to come – Some can only afford the off-season for 3 nights. We have cleaners and a full time employee – I would have to close the doors if there is a 5 night minimum. I called the Waterfront – they are against the 5 night minimum. J and J Marine – they support cabin rentals –are against 5 day minimum. Bedrock - they support cabin rentals –are against 5 day minimum. Little Jims – they support cabin rentals –are against 5 day minimum. Billy D's Crooked Tavern – they support cabin rentals –are against 5 day minimum. Homestyle, Southbrook, they support cabin rentals –are against 5 day minimum. A lot of these businesses - Petty Brothers Meats – support cabin rental – against 5 day minimum. A1 Marine they support cabin rentals –are against 5 day minimum. H and H Sport support cabin rentals –are against 5 day minimum. Madigan's support cabin rentals –are against 5 day minimum. Jimmy's Pizza in Annandale – sell pizzas to cabin rental guests. These businesses are in our rental packets. Tom N Gary's they support cabin rentals –are against 5 day minimum. Whispering Pines support vacation rentals, against 5 night minimum. Tangles Spa - they support cabin rentals –are against 5 day minimum. Annandale Paintball – they support cabin rentals –are against 5 day minimum. Powder Ridge – BJ's Bait and Tackle – they support cabin rentals –are against 5 day minimum. Minimum of two nights is OK in offseason. Winter – cabins sit empty – worry about freezing up. 3 siblings – one wants to sell – mortgage, taxes to pay?

Oleson: There is no minimum number nights' stay now.

Audience Member: We try to rent 7 days – week to week. During peak season – we have 4-5 night minimum. After Labor Day – we can hardly get anyone to rent – even if 2 or 3 nights; not a lot to do out here in winter.

Audience: I have a rental: We make friends and a lot of people come back. I don't understand 3 day or 5 day. If they are there 3 or 5 days – what's the difference?

Audience: The weekend renters come in to party and they party hard! I've seen it personally.

Stacy Grega: I understand that people have bad experiences. The township should not be dictating because someone has a bad experience. Not everything can be treated equally. Each experience should be treated differently.

Audience – Bass Lake: I'd like to see if there is some way – make sure I am watching my rental. 3 or 5 days is not the problem. The problem is when the owners don't watch the property.

That's a shame because it makes all the VRBO hosts look bad. We've experienced people on the lake that don't watch their people. At least you can think about it.

Audience: I don't have problems. I have not had bad customers.

Steve Strom online (Linda Storms' husband): Apologies – I should have started out – thanking the committee and all the hard work. It's been very helpful. Honestly – thank you for the civility. Lots of strong feelings on lots of sides. I was shaking my fist a little bit. Dan and Heidi know how I get. I think there is a happy place – the ones that have bad renters is the worst thing. Then we have to have this conversation. I go back to a way to think about – if there is an issue – what can we do, what are the consequences, not 5 or 6 days, but the good renters are doing all the right things. No one wants to mess with that. I think going forward – I'd probably want to hear most – the renters that have families – what are the things they are doing with that can help us not step into a pothole with bad situations? Again – thanks for the civility.

Audience: Thank you for the ordinance! I live next to rental property. Number of people allowed on property makes it worse. People who profit – don't understand why they are zoned residential. I do understand short term in the winter – they are inside and they are not creating problems. Labor to Memorial Day – 2 or 3 day minimum is acceptable in my opinion. I wouldn't set a minimum in the offseason.

Online Stacy Grega: Even in summer – people are looking for short get-away, 3 night get-away. We tried to rent during the winter – but 3 night minimum – had absolutely zero bites. Not all the people on the lake that have these rentals are trying to make money. They are trying to keep cabin in the family. I am renting so I can give to my kids when I retire and die. Not all of it is driven by entrepreneurs.

Audience: I am a former property renter. 2 places on Cedar Lake – side by side – rented for 2 years ago, lost my job during covid-19. Then got a job and decided not to rent again. Questions about classification. In 2022 property tax classification changed. Talked to Ken Yager. Who makes this change without even asking?

Guck: Probably at the County. You are at the wrong meeting.

Audience: I talked to Ken – the assessor.

Online audience: John and Melissa Schultz: Renting our house out for 8 months now. Over the summer we generally rent for 1 week. Off season 2-3 days. Anything more than 2 day minimum in off-season will put an end to off-season rentals. Not all vacation rentals are the same. Our priority is being a good neighbor. They have our cell phone numbers and our manager's number. We touch base with them fairly regularly – no issues with renters. 300 feet of shoreline and 2 acres. Long driveway – parking is not an issue. Our neighbors say they don't hear renters. I am glad there is an ordinance and that there are rules. We create house rules that reflect the ordinance. Not all rentals are created equal. Should be a case by case basis – not one size fits all.

Online Kathy Jonsrud: Like to make couple points – the changes made have helped with us co-exist with short term vacation rentals. We support 3 per bedroom or maximum of 12 people. Property near us was bad before. We do support the 5 day minimum. It attracts a different kind of renter and that is the type we enjoy having in our neighborhood.

Online Bruce Champeau: I have had minor issues with rental next door to me. Josh runs a great business. Issue is enforcement and consequences. Ordinance can only go to a certain degree. If there is a problem – no one wants to speak to what happens. There are respectful rental owners on this call. The issue for me has been consequences when things go wrong. No one wants to address that.

Steve and Maria Sanoki: We are neighbors to a VRBO that has been fairly disruptive for the past several years. Our kids call and ask what the clientele is like next door. Won't come to the lake unless OK. Reason is the lack of supervision. It would be great if they lived right next door to rental properties. But when you have someone who lives in the cities and you call them on the phone – it does not work well to get renters to calm down. Longer term rental period – even longer than 5 days would be helpful for rentals that are unsupervised.

Online Dustin: Property owner on Clearwater Lake. A lot of these problems – people need to communicate more with their neighbors. Having government involved seems like an over-reach. I don't support any ordinances at all, let alone a 5 day minimum. Years back – all these lakes were almost all resorts. All types of people were able to enjoy them. Even as an owner – I can see that it is pretty hard to get on the lake – to make it restrictive - especially with young children. We have to let other people enjoy the lake, too.

Written comment came in during week: Anonymous comment previously sent from a number of Clearwater Lake residents. Concerns about neighboring property on the lake, pollution, etc.

Joe Nelson: 55-60 groups – none of the renters caused any problems and would not have even if we weren't next door. I live next door. They are quiet as mice.

Audience: Can we enforce on all properties – 15 maximum? Not just rentals. Drive around the lakes on Saturdays.

The public hearing for this portion of the agenda, was closed. A final recommendation may be heard at the February 8, 2022 Planning Commission Meeting.

Oleson: The next meeting will not be a public hearing on this.

- g. Ordinance Amendments to Section 506.8 (Fee Schedule) of the Corinna Township Land Use Ordinance. The purpose of the amendments would be to match Township permit fees to recently amended Wright County permit fees.

- i. Applicant: Corinna Township

€ Section 506.8 of the Corinna Land Use Ordinance outlines the fees that apply to various land use/zoning applications as well as building code fees. Wright County recently amended their fee schedule and the Township's agreement with the County when contracting with them for

building code inspections was that the Township would have the same fees as the County. As such, this public hearing is related to matching the County's fees in relation to both building code fees and zoning/land use application fees.

Ben Oleson explained.

A motion was made by Niklaus, seconded by Schultz, to recommend to the Town Board accepting the proposed changes to the fee schedule as noted in the attached document so as to match the Township's fees with the County's fees. Motion carried unanimously.

5. Approve Previous Meeting Minutes

- a. December 14, 2021

Minutes were not sent to Planning Commission by Deputy Clerk Just. Tabled to February 8, 2022 Planning Commission Meeting.

Zoning Administrator's Report – No reports tonight.

- b. Permits
- c. Correspondence
- d. Enforcement Actions

Other Business

- e. Confirm 2022 meeting dates – March and November conflicts
March and November have conflicts. Oleson moved both meetings to Thursdays.
That is what is planned for now.

Adjournment: Meeting adjourned 10:15 p.m.

Respectfully submitted by Mary Barkley Brown, Township Clerk