

CORINNA TOWNSHIP  
MINUTES  
PLANNING COMMISSION/BOARD OF ADJUSTMENT  
JUNE 13, 2023

Call to Order: Al Guck called the meeting to order at 7:00 p.m.

Roll Call: Planning Commission Members in Attendance – Chair Al Guck, Vice Chair Steve Niklaus, Larry Smith, Linda Dircks, Barry Schultz, Alternates: Cathy Gabriel, Dick Naaktgeboren, Planning and Zoning Administrator Ben Oleson; Deputy Clerk Jean Just.

Others in Attendance: Melvin Dykhuizen, Barbie Berg, Steve Berg, Joe Zachman, Marty McGraw, Chass Rising, Amy Pelant, Eric Pelant, Judy Dahlberg, Brian Dahlberg, Dave Williams, Sandy Williams, Susan Lamey, Brice Lamey, Daniel Bowman, Steve Bruggeman, Bernie Miller, Brian Fieldseth, Bryan Erickson.

Additions or Deletions to the Agenda: Motion was made by Smith, seconded by Dircks to accept the agenda. Motion carried unanimously.

#### Public Hearings

Requests related to the replacement of an existing dwelling. Approvals required include Variances to construct a 26' x 42' two-story dwelling with 6' x 8' covered entry to replace a 25'5" x 42' single-story dwelling with 6' x 8' covered entry and to add a 12' x 28' two-story dwelling addition approximately 53.3 feet from the lake (minimum 75 feet required) and 11.6 feet from a side lot line (minimum 15 feet required) and to install a new septic drainfield approximately 15.4 feet from an existing garage (minimum 20 feet required). An existing open deck will remain at 39.9 feet from the lake.

Applicant/Property Owner: Brian Dahlberg/Dahlberg Living Trust  
Property address: 11351 89th St NW, Annandale  
Sect-Twp-Range: 19-121-27  
Parcel number(s): 206062000300

**Present:** Brian & Judy Dahlberg, Bernie Miller

**Dahlberg:** Looking to do an addition to our lake home to remodel.

**Oleson:** Single story house add 2<sup>nd</sup> level and expansion of the foot print- addition to the back side away from the lake. Lake set back is 63 ft to house and 40ft to the deck which is where the deck is currently and 11.6 feet from the side lot line. New sewer system, 15.4 from the garage, which I can sometimes grant administratively but because they are hear we added it.

**Audience:** None

**Smith:** Looks like you are going up a level and adding to the back. I do not have any issues and no issues with the side line or sewer back up.

**Schultz:** Question with the existing deck is it open? Yes – good with it.

**Niklaus:** Most of the exiting is staying correct?

**Dahlberg:** About 10% is staying, where the utilities are.

**Miller:** Four years ago they did an addition and now going to make this year round home. So the addition is staying.

**Niklaus:** We would like to move it back, however, with the new addition I understand.

**Niklaus:** Impervious is our most sensitive, noting nothing in the future as you will be very close.

**Dirks:** no comments

**Gabriel:** Good

**Naaktgeboren:** We could eliminate a variance if we moved the septic.

**Miller:** Yes however, we would have to remove trees, I like to put the sewer where it is in the best spot with little disturbance.

**Guck:** No concerns

Niklaus made a motion based on the findings of fact to approve variances to construct a 26' x 42' two-story dwelling with 6' x 8' covered entry to replace a 25'5" x 42' single-story dwelling with 6' x 8' covered entry and to add a 12' x 28' two-story dwelling addition approximately 53.3 feet from the lake (minimum 75 feet required) and 11.6 feet from a side lot line (minimum 15 feet required) and to install a new septic drainfield approximately 15.4 feet from an existing garage (minimum 20 feet required). An existing open deck will remain at 39.9 feet from the lake with the following conditions:

1. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
2. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of rainwater from the lot prior to it flowing into the lake. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.

Smith seconded. Motion approved unanimously.

Requests relating to the construction of a new driveway and eventual dwelling. Approvals required include a conditional use permit for the substantial alteration of land in a shoreland district (movement of well over 50 cubic yards of material) to accommodate the placement of a driveway. Project will involve altering steep slopes, substantial removal of tree cover and the potential for altering drainage patterns and significant erosion.

Applicant/Property Owner: Brice Lamey/Robert Gruys

Property address: None (112<sup>th</sup> Street NW, Maple Lake)

Sect-Twp-Range: 1-121-27

Parcel number(s): 206149001040

**Present:** Brice & Susan Lamey & Dan Bowman

**Lamey:** We are looking to be part of community, build a retirement home and looking for lake experience. I understand there are concerns about the run off of the property from the East and the North, we did have a review to determine if it was a wetland.

**Bowman:** Andrew Grean from Wright County Soil & Water did determine this is not a wet land.

**Lamey:** We are requesting driveway, and hired Otto & Associates to do the Engineering and Survey work of the driveway and following the recommendations.

**Oleson:** CUP is for moving more than 50 cu yards of material. Most of the time we do not require for the driveway and foundation of the house, however, this is a hilly and wooded lot and there is a lot of drainage that comes through this lot. As said Andrew from Soil and Water did come out and determined it was not a wet land. The hope is to build the driveway and build at some point. As long as they meet the setbacks they can build.

**Oleson:** Explained where the drainage would go and the placements of the culvert.

**Audience: Eric Pelant:** Some concerns on drainage and the removal of trees and fill related to the extended driveway. Main concern is the amount of fill that would be brought in and raising the elevation. My question is do we know the amount of fill.

**Bowman:** Understanding is that they will work with exiting grade towards where the culvert is going to go and work with the flow of the water.

**Lamey:** Indicated that the part of the desire to this lot was the amount of tree's so our intention is to keep as many trees as possible.

**Pelant:** Indicated that looking at the measurements it would be around 750 cu yard of fill which is substantial amount of fill.

**Niklaus:** What is your concern with that amount of fill?

**Pelant:** Raising the topography and that amount dirt affecting the drainage area and the water coming from the field in the back causing water into our property or affecting the ditch.

**Bowman:** Otto designed it with the 24" culvert to take the water from the North and the East. Possibly there should be a retention pond to keep the water to his property.

**Joe Zachman:** Not opposed, to say just concerns with taking of the trees and erosion and we do not need sediment silt going into the lake. The lake levels can go up and down significantly not sure how much that would raise the lake, something that the lake does not need. May speed up the water with a 24" culvert and what would that be to mitigate that on the back end of the culvert. Concern is trying to mitigate the effects on the lake.

**Oleson:** Soil & Water was involved with the wetland, however, not with the design.

**Lamey:** Asked to look at lot 3 & 4 on map. Where the driveway culvert exits there is roughly 300 ft of level ground that adding sediment due to the size of the culver is not likely. All lower based on that elevation curve. Where the proposed house is the highest point at the property.

**Pelant:** It is not the highest, it is one of the lower spots at 1034 and elevation wise closer to the road is 1048.

**Naaktgeboren:** The water is all going there now, it will be going through the culvert and you will need to slow it down, I think something needs to be engineered. Will some kind of rip rap to slow down the flow of the water coming out of the culvert.

**Lamey:** There is rip rap is there at the end of the culvert from Otto.

**Naaktgeboren:** I think you may need more and a sediment basin. Are you using the soil that is there?

**Bowman:** Possible, will use what is there if possible.

**Smith:** Where does the water come from the township road?

**Lamey:** From the east

**Naaktgeboren:** Main concern is slow it down. As far as cutting trees and making a driveway that is what happens to get a driveway.

**Bowman:** No issue with and maybe the neighbors need to work together to have a retention pond.

**Gabriel:** Question for neighbor regarding where do you propose the driveway?

**Pelant:** Feel that the driveway should be shorter and back on the high area.

**I Phone:** I have a property nearby and I would like a written statement from Corinna Township that I will never have any issue on my property if this is approved.

**Zachman:** Obviously the amount of water is going to stay the same, the only concern is to slow it down. This is a loon nesting area and keeping this area in tack and not opposed as long as it is not going to cause additional problems.

**Dircks:** They have to have a driveway and do we have enough information to determine if this is ok and the amount of fill to make decision.

**Niklaus:** Do we know if there is an erosion and sedimentation issue.

**Lamey:** I have walked it and there is a ravine, it was a heavy snow and heavy rain in the spring, there are a lot of trees that are down and it creates a lot of natural dam and I am not opposed that we can come up with a plan the continues that.

**Niklaus:** In the staff report you indicate the applicate has not shown that the amount of water or the speed of its travel won't cause significant addition erosion potential or pooling of water on neighboring properties. How would they go about doing that?

**Oleson:** I give finding both in support of approval & denial so if you were to vote against that could be a reason and you could ask for a more in-depth study regarding water flowing through that lot and how it could change the flow.

**Bowman:** Otto did design where the culvert would be placed based on the anticipation of water.

**Niklaus:** The applicant must maintain culvert, how they do that.

**Oleson:** If it fails they would have to replace or maintain.

**Niklaus:** I agree with putting some rip rap to slow.

**Schultz:** from your culvert are you going to clean up trees or leave them

**Lamey:** Leaving as natural as possible however, due to fire we may have to take out some of the downed trees.

**Smith:** Agree these lots were a development that was approve and where you put your house is up to you as long as you meet the setback. I would like to see what type of material and the amounts they are hauling and what the grades are going to be. I feel that some of that silt will be eliminated during.

**Lamey:** We would like to know since we would like to close on the lot and I do not want to buy a lot if I cannot build where we are proposing.

**Terry Stein online:** Can the driveway go in another location to without bringing in less fill.

**Guck:** They have a property that is buildable and need a build a driveway. They should be able to build as long as they meet setbacks.

**Niklaus** – It states in the staff report in support only if significant new erosion, how can that be determined.

**Guck:** It was determined it is not a wetland.

**Oleson:** My question there is due to the driveway would this create more water to the east or not. I do not know the answer to that. I would assume that the 24' culvert was determined for a reason. If you were going to try and get more information, the next step would be you want more of an engineering analysis of how much water is going to go through the culvert.

**Bob Gruys:** Otto is the one that created the driveway and where the culvert should go and is a pretty respected guy.

**Bowman:** He did design to where it should go and where the culvert should be due to the water flow, I am sure he could write something up if needed.

**Lamey:** Looking the map, the top of the road is 1027, if anything it will be going over the driveway and that will be my issue.

**Guck:** At this point I do not have an issue with it, there is a natural flow of the water.

**Lamey:** I would put in natural weeds, flowers create more buffer.

**Dircks:** we are only looking at bringing in 50 cu yards of fill if that is the cup we have I

Niklaus made a motion based on the findings of fact to approve Conditional use permit for the substantial alteration of land in a shoreland district (movement of well over 50 cubic yards of material) to accommodate the placement of a driveway. Project will involve altering steep slopes, substantial removal of tree cover and the potential for altering drainage patterns and significant erosion.

1. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
2. The applicant must maintain the proposed culvert under the driveway such that it continues to drain water adequately.
3. The applicant must plant trees at a rate of 1 tree for every 50 feet of length of the driveway on the east side of the driveway unless the area east of the driveway is needed to install erosion control practices. Planted trees must be a height of at least three feet at the time of planting and be of a species native to the area.
4. The construction of the driveway must not create additional flooding/ponding or erosion on neighboring properties. If this does occur, the applicant will be responsible for making modifications to the layout of the driveway to eliminate that occurrence to pre-development levels.

Dircks seconded the motion. Motion approved unanimously.

Requests relating to the subdivision of land. Approvals required include preliminary plat approval of a proposed subdivision of land in an I-1 General

Industry zoning district to create a new lot in the northwest corner of the existing parcel.

Applicant/Property Owner: FERGSBA LLC  
Property address: 9397 67th Street NW, Annandale  
Sect-Twp-Range: 33-121-27  
Parcel number(s): 206000332400

**Present:** Brain Fieldseth & Brian Erickson

**Oleson:** It is a subdivision in a industrial zoning district. Lot sizes are met, there is max building coverage which is met. The main question is the pond that was designed for the entire property, since this is going to split off, is there and agreement with the pond and who is responsible for it?

**Erickson:** The goal would be to move the pond, however, something we need to determine.

**Oleson:** If moved is there is enough room for storm water and do they need more parking.

**Audience:** None

**Niklaus:** Question on impervious? Just want to make sure we are under as there is a lot of concrete.

**Oleson:** It is just the building coverage that is counted since it is not residential.

**Niklaus:** All the water goes to the pond, and if they move the pond is there a size that has to be met.

**Oleson:** The thing that triggers the pond is the impervious area and acreage and now changes the calculations. So not sure what his plan is for his property.

**Niklaus:** If they are going to move it will a pond be needed?

**Oleson:** The pond is only needed if over an acre of impervious.

**Niklaus:** Is there enough room for a driveway.

**Naaktgeboren:** Could he move it to the wetland area

**Oleson:** Cannot fill the wetland and he cannot dump into the wetland.

**Naaktgeboren:** Right now the pond he has works for what he has and additional buildings. Then why would you move it.

**Oleson:** You would have to move it to the south and possible drain tile.

**Naaktgeboren:** Would they have to have an agreement?

**Oleson:** That would be on them.

**Naaktgeboren:** I do not have and issue, however, would be nice to know about the pond.

**Oleson:** We do not have the preliminary plat yet

**Dircks:** No additional comment

**Gabriel:** The pond would be good to know otherwise no concerns

**Shultz:** Nothing to add

**Smith:** I think we need to know where the pond is going to go.

Schultz made a motion to table. Smith seconded the motion. Motion approved unanimously.

Requests relating to the construction of a detached garage. Approvals required include Variances to construct a 30' x 30' single-story detached garage with a 9' x

34' open-sided storage area approximately 43 feet from the centerline of a township road (minimum 65 feet required).

Applicant and Property Owner: Marty McGraw/Martin P McGraw Revocable Trust

Property address: 11304 Klever Ave NW, Annandale

Sect-Twp-Range: 5-121-27

Parcel number(s): 206016000020

**Present:** Marty McGraw & Chad Rising

**Oleson:** Variance is the road set back. He purchased the lot next door, tore down house and looking to build a shed.

**Audience:** None

**Smith:** I see you want to keep a nice straight line, however, could we get it moved a little further from the road.

**McGraw:** It would be closer to the lake, would just like to keep it in line with the driveway if getting closer more of a decline down the hill.

**Rising:** The 43ft is what thought, it will actually be a little closer. It is tucked into the hill so you will only see a few feet and the roof comes out and over. This came up in October and the house was almost down. We could be 5 ft closer to the lake.

**Smith:** Noted there is a lot of concrete.

**Niklaus:** The imperious on both lots and you know that you are done with building.

**Dircks:** Good

**Gabriel:** Question on the top area for storage.

**Rising:** There is 8ft diff in height and steps to the back storage loft area.

**Schultz:** I would like to see it move a little further from road.

**Rising:** Seeking a 48ft from the road.

**Naaktgeboren:** Good with 48ft from the road.

**Guck:** I am good with it.

Schultz made a motion based on the findings of fact to approve Variance to construct a 30' x 30' single-story detached garage with a 9' x 34' open-sided storage area approximately 48 feet from the centerline of a township road (minimum 65 feet required).

Dircks seconded the motion. Motion approved unanimously.

Requests related to the construction of a storage building. Approvals required include a Variance to construct a 12' x 16' storage shed approximately 52 feet from the centerline of a township road (minimum 65 feet required).

Applicant/Property Owner: David and Sandra Williams

Property address: None (across from 8244 Irvine Ave NW, Annandale)

Sect-Twp-Range: 22-121-27

Parcel number(s): 206055001040 and 206054000080

**Present:** David Williams & Sandy Williams

**Williams:** Not a lot of room with two roads, one on each side.

**Oleson:** Variance is 52ft from road.

**Audience:** None

**Naaktgeboren:** No problem with it.

**Schultz:** Good

**Dircks:** Verified that the 52 if from Isaak.

**Gabriel:** No concerns.

**Niklaus:** Ok

**Smith:** Where will you access?

**Williams:** From Irvine.

**Guck:** Good with it

Niklaus made a motion based on the findings of fact to approve variance to construct a 12' x 16' storage shed approximately 52 feet from the centerline of a township road (minimum 65 feet required).

Schultz seconded the motion. Motion approved unanimously.

Requests related to the construction of a new dwelling to replace an existing cabin. Approvals required include modification of a Variance request granted in April 2023 to add 4 feet to the width of the proposed dwelling. Previously approved variances for the single-story dwelling with partial loft and an approximate 10'4" x 14'8" screen porch 62' ft and 47.4 ft respectively from Sugar Lake (min. 75 ft required) would remain the same.

Applicant/Property Owner: Erik Anderson/Stewart C Anderson & Deborah J Anderson Trust

Property address: 11751 Gulden Ave NW, Maple Lake

Sect-Twp-Range: 1-121-27

Parcel number(s): 206085000010

**Present:** Erik Anderson, Debbie Anderson

**Anderson:** Variance granted in April and when drafting determined would benefit with a 4ft extension on the north side going from 20ft to 24 ft. would not be imposing on the setback to the existing well. We did center on the property and we gained a 1/10 of a foot on setback. No real variance just a change from what was granted.

**Oleson:** We had approved a certain size, so we determined it had to come, however, the setbacks will all be the same.

**Guck:** set back to the well a concern

**Oleson:** No

**Naaktgeboren:** Confirmed the size and setbacks.

**Audience:** None

**Anderson:** Question on elevation and height of the trusses, they may be hand framed and it may change the height of the house slightly so just want to make sure we would not need another variance.

**Oleson:** The height requirement is 35ft so that should not be an issue. Unless obstructing view.

**Anderson:** He thought maybe a foot or so. Current height is about 25ft.

**Oleson:** Keep it under 30ft we should be good.

Smith made a motion to approve based on the findings of fact a variance request granted in April 2023 to add 4 feet to the width of the proposed dwelling. Previously approved variances for the single-story dwelling with partial loft and an approximate 10'4" x 14'8" screen porch 62' ft and 47.4 ft respectively from Sugar Lake (min. 75 ft required) would remain the same.



Niklaus seconded the motion. Motion approve unanimously.

Ordinance Amendment to modify Sections 302 (Definitions), 501 (Zoning Administrator), 503 (Planning Commission), 505 (Conditional Use Permits), 506 (Permits and Fees), 603-606A and 608 – 612 (various Zoning Districts), 727 (Mining and Extraction), and 762 (Solar Energy Farms and Solar Energy Systems) of the Corinna Township Land Use Ordinance. The intent of the amendments is to increase the size of solar energy systems allowed by administrative permit from 10 to 40kW in all zoning districts; increase the size of solar systems considered to be solar energy systems from 100 to 200kW and solar farms to be those over 200 kW; continue to prohibit new solar farms; to clarify that the duties of the Zoning Administrator are to interpret applicable ordinances, address amendments to the Township zoning map, to add to the list of duties relating to enforcement of the ordinance and to clarify procedures for appealing interpretations of the zoning administrator; to clarify that the planning commission makes final decisions on conditional use permits; to add language for procedures relating to the discontinuance of conditional use permits; to modify definitions for “Access Drive (Driveway)”, Solar Energy Farm, Solar Energy System and Utility Interconnection, to increase the allowable time period for a mining and extraction interim use permit from one year to three years and make other amendments as being considered by Wright County; and to modify various permit application fees.

Applicant: Corinna Township;

Naaktgeboren indicated he does not see anything that would be a concern.

Oleson: Right now we have a 1 yr. time frame for interim use permit and looking to change them to up to 3 years, and do you want to continue to ban solar farms.

Board felt they should continue to ban solar farms and like the flexibility to increase gravel mining to up to 3 years.

Niklaus made a motion to approve. Schultz seconded the motion. Motion approved unanimously.

Smith made a motion to approve Previous Meeting Minutes of May 9, 2023.

Naaktgeboren seconded the motion. Motion approved unanimously.

#### Zoning Administrator's Report

Permits: None

Correspondence: None

Enforcement Actions

Resident is rebuilding boat house with deck on top with height at 10'8" with 10' allowed. The way I have been measuring is from floor to top of roof. DNR does not state how to measure. Question is do they need a variance. Board feels they would.

Other Business: None

Motion was made by Niklaus, seconded by Smith to adjourn. Motion carried unanimously at 9:04 pm

Respectfully submitted by Jean Just, Deputy Township Clerk