

CORINNA TOWNSHIP  
MINUTES  
PLANNING COMMISSION/ BOARD OF ADJUSTMENT  
AUGUST 10, 2023

Corinna Town Hall, 9801 Ireland Ave, Annandale MN 55302

Call to Order: Chairman 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; Barry Schultz; Larry Smith; Linda Dircks; Dick Naaktgeboren, Planning and Zoning Administrator Ben Oleson; Clerk Mary Barkley Brown.

Absent: Cathy Gabriel.

Others in Attendance: Bernie Miller; Cindy Anderson; Chris Rogers; Deb Cariveau-Rogers; Brett Bludorn; Lisa Dohmen; Tom Dohmen; Al Evavold - CAP Homes; Tina Diedrick; Brian Diedrick.

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

#### Public Hearings

(Tabled and revised from October 2015) Requests related to the demolition of an existing cabin and construction of a new dwelling. Approvals required include Variances to construct a 32' x 44' (1,408 sq. ft.) dwelling approximately 62.3 feet from Clearwater Lake (min. 75 ft. required) and without 15 feet of fill meeting floodplain elevation requirements around all sides. Conditional use permit to place greater than 50 cubic yards of material to meet floodplain elevation requirements.

Applicant: Thomas A. and Lisa A. Dohmen  
Property address: 11953 Kramer Ave NW, Annandale  
Sec/Twp./Range: 5-121-27  
Parcel number(s): 206000052202

**Bernie Miller:** Lots of shallow wells down the line. Situation down the flood plain, mostly 997, 996. House has to be raised. Variance for less than 15 foot around the perimeter of the house. Asking for less than that so we can do drainage. They don't want you to fill in the flood plain. Counterintuitive. Drainage around the house and not drain toward the neighbors. This area is pretty flat. Notice the drain field is convoluted shape. Type 4 system. 2 doors to south – shallow well – tried to be 100 feet away from. They are a little bit higher. Easier to do a septic there. Next neighbor – put their sewer across the road. This road is interesting. Look at survey and property. Kind of confusing. Township road there. You have 33 foot easement. His property goes over it. The only part that was really platted was the development on the other side. Very confusing. Maple Hill Resort Condo plat. Right of way that is 33 feet wide on either side of that – we are pushing the drain field to 1 foot away from the right of way.

**Ben Oleson:** This one came in October, 2015. Tabled due to figuring out sewer system and drainage. If you look back in time, there is some ponding that goes on in neighboring properties. Showed drainage – swale that goes toward the lake. Back with same plan – replace the house with something further from side lines, variance is lake setback, lack of fill out 15 feet in all directions, sewer not being a type 1 sewer system, building up with a couple courses of block to build up foundation. Technically – that is a CUP for doing that. On one hand – you don't want a lot of fill in a flood plain. Addresses drainage and sewer. I have not heard complaints regarding ponding.

**Tom Dohmen:** Culvert – make sure water does not pool in our yard or neighbor's yard.

**Cindy Anderson:** I have cabin directly to the north. I don't have concerns with building. I am still concerned with the water. Ponding of water. I've been there for 65 years. There has always been water there. My lot hasn't changed, but land around me has changed. County raised road and caused houses to be more in a valley. I don't blame them for wanting a new garage. Lots of fill went in for that. Changed elevation. Water is running down into my yard.

**Cindy Anderson:** What is a swale?

**Oleson:** Ditch or catch basin. Your driveway flows down into this.

**Cindy Anderson:** I get water all the way up to my driveway. It happens with heavy rain. My concern of the garage – change of elevation, garage raised, but fill came all the way back to the cabin and actually a little further. Raised that land – leaving my land wetter. In reading some of the stuff on the staff report – there is reference on page 3 to a 2019 drainage report. Needing to verify implementation. That is a questions. In that – page 4, #4, fill – going to affect storage of water or drainage. If there was fill going off of that – I would be having water in my cabin. Page 6 – proper methods – plans to meet erosion and storm water. I am concerned. Up to 24.1 impervious coverage. Adding the elevation of garage and the land around it – I feel it is really at the limit. I did not see a plan for off the deck off the front. Is a deck more than 9/10 of a percent? Staff report talked about a plan. That is my question and concern – that this is adequately addressed.

**Tom Dohmen:** Asked Oleson to bring up her cabin picture. I don't know what year it was – we offered to have you draw up the property line. We ceded the property to her – because we didn't want to cause any trouble. We later found out it was our property. Lawyer sends notice. We didn't want to cause her any trouble. We took no payment. In the past, before we offered that, that was out land. We want to make sure neighbors on both side needs are met.

**Bernie Miller:** New plans do not have a deck. It is a patio – not a deck.

**Cindy Anderson:** Looked to me like deck was part of the existing.

**Bernie:** Allowance for 350 square foot patio, walkway. Floodplain areas are a problem. This is an opportunity to fix it. Subsoil to the lake. Over land drainage. Opportunities for both. Fix this and not make it worse. Hard to get too far to fix that. If you look at storm water management – would want a raingarden to soak in or drain toward the lake in drain tile.

**Cindy Anderson:** I would object to the discussion on the lot lines. Prior 2 owners of that lot – lot line discrepancy was taken care of long before tom bought it. All the

lots kind of went this way. Then they built this way. Lot line had been fixed from all that my attorney could find and previous 2 owners.

No one online.

**Oleson:** There are competing conditions here: adding fill, making...there was talk about putting a culvert under the road to drain back to the wetland. Our only shot is to drain toward the lake. If the lake floods...The state requirement is that when you elevate to meet floodplain re supposed to be 998.7? DNR staff says this is to protect building, emergency services can get there. They are are meeting 997.6 for some distance - but the 15 feet... Drop off there - 6-7 feet. There are competing issues going on here.

**Naaktgeboren:** Doing 15 feet out - defeating what we are trying not to do. You don't have the room. These are tight lots.

**Builder:** Poured foundation.

**Naaktgeboren:** Why can't you berm - pipe is running all the way to lake. Tie into the north side collection box.

**Bernie Miller:** All kinds of things you can do.

**Naaktgeboren:** I don't know why you can't have a small berm. You have the room to do something. Going to be a low area going to the north - to keep water on your side. Swale can have catch basin.

**Bernie:** What gets tough on these properties - if it is done with your neighbors together - problem is on both properties. If you can't go over the property line - problem is hard to fix. If you look - put berm down there - bushes and tree. 1 foot contours - 2 arrows pointing each direction - create a swale - I would say that if - I didn't change the plan to speculate that the neighbor builds a new well. This plan is worst case scenario. I think there is lots of opportunity.

**Naaktgeboren:** I want to see a sewer that works.

**Oleson:** Does culver drain toward the lake?

**Naaktgeboren:** Toward the lake.

**Oleson:** Underground drain to the lake.

**Cindy Anderson:** Water stands after a heavy rain and in the spring.

**Naaktgeboren:** Next three lots are lower - so you are going to have this.

**Smith:** How big is culvert?

**Naaktgeboren:** 10-12 inches.

**Naaktgeboren:** Catch basins on Sugar Lake - all it took was a swale and a berm - went all the way down to Sugar Lake.

**Smith:** My biggest problem is: I want to make sure this gets done so that neighbor doesn't get water. It is really hard when you have to meet floodplain. It is a battle. We need a variance and a CUP?

**Oleson:** Right.

**Schultz:** If you put more of a swale there - toward the trees - it would alleviate the water that stands there. But they would have to go onto Cindy's property.

**Cindy Anderson:** That would be fine. In all frankness - I think we are doing better at being neighbors and communicating. If communication can happen - it was devastating to come home and see garage all torn up one day. A little communication would have helped. I am fine with that swale being there. You could increase that swale. I am fine with that.

**Bernie Miller:** Problem – as it goes toward the lake – it goes uphill. The pipe can take it – put tile down to drain it out – put a little swale on top. Flapper on the end to stop it. When the lake floods – making a channel to make all the water come back toward house.

Oleson asked where outlet is.

**Naaktgeboren:** It is by the lake pump – by tree.

**Niklaus:** I admire your patience. I did stop out there today. I don't have a problem with the 15 foot part – that is more complicating. Can you move the home back further from the lake?

**Bernie Miller:** You can. In order to put in a septic – not sure how to make that work. With garage there – not ideal.

**Dircks:** The front of the house is going to be the same level as it is now? Type 4 septic system – is that an acceptable system?

**Oleson:** Yes.

**Dircks:** Poured concrete walls are meeting 997.6?

**Oleson:** Lowest is 998. CUP – building foundation around it. Variance lake setback and not having 15 feet of fill. One foot back from road is variance.

**Bernie Miller:** No crawl space. Slab on grade – up to 998 feet.

**Tom Dohmen:** Not bringing in fill so Cindy does not get flooded out.

**Niklaus:** Storm water management plan – is that submitted to Ben Oleson?

**Oleson:** This board can approve the storm water management plan. Is 2019 drawing essentially the same?

**Bernie:** You can do more than that.

**Oleson:** Berm, deepening the swale.

**Niklaus:** I prefer that Ben Oleson look into this.

**Guck:** It was discussed – this will set a precedence – one thing was to get it back 65 feet at a minimum. The height is 26.9 to the peak.

**Tom Dohmen:** We would just as soon have a wide house.

**Guck:** Going from cabin to a 4 bedroom.

**Bernie Miller:** It is appropriately sized.

**Naaktgeboren:** Picture – shooting at the lake. Your downspout is shooting to the neighbors.

**Tom Dohmen:** We can change that.

**Guck:** How do you incorporate the neighbor's thoughts – without us nitpicking?

**Tom Dohmen:** Last time, there had been flooding out at the lake. Everyone thought we were going to put up a big structure and flood everyone out. We are trying to make sure that everyone is happy. We want to live here. We are open to working with Cindy Anderson – and working with using some of her land if that is what she wants us to do. On public record – we want to work with everyone and not hurt anyone.

**Cindy Anderson:** Want communication and follow-through. I didn't know there was a swale there. I want to make sure that what is allowed is what is actually done.

**Guck:** 25 foot height?

**Tom Dohmen:** Same exact house 4 or 5 doors down. 2 identical right next to each other.

**Oleson:** Height limit is 35 feet. Other houses in neighborhood are similar height.

**Guck:** Picture of barrels. Do you have plans for that? Rain barrels at end of gutters?

**Bernie Miller:** Many other ways to mitigate drainage. Has to be a plan put together to put together how all this drainage is going to work.

**Builder:** Tile the gutters into the pipe?

Niklaus made a motion, based on findings of fact, to approve the Variance/Conditional Use to replace an existing one-story 28' x 36' (1,027 sq ft) dwelling with an approximate 32' x 44' (1,408 sq ft) two-story dwelling approximately 62.3 feet from Clearwater Lake (min. 75 ft required) and without 15 feet of fill meeting floodplain elevation requirements around all sides. New dwelling to be served with a non-Type I sewer system with drainfield.

Conditional use permit to elevate dwelling to meet floodplain requirements by alternative method than fill with the following conditions:

1. That fill around the proposed home be limited to that necessary to elevate the lowest floor to the required flood elevation of 997.7 and to achieve drainage away from the home, but not otherwise change drainage patterns in the area AND/OR that the lowest floor be elevated to the required level with a crawlspace or other similar method provided it meets the requirements of the ordinance relating to elevation via alternative methods.
2. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
3. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of rainwater from the lot prior to it flowing into the lake, wetlands, road right-of-way or onto adjoining properties. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.

NOTE: The 2019 drainage plan must be verified as having been implemented as designed, or an alternative plan must be submitted that provides a similar amount of drainage and protection for neighboring properties and approved by the Township Zoning Administrator. The plan shall be reviewed and approved by the Township Zoning Administrator, in consultation with the Wright County SWCD, the Town Board and any other applicable agencies. This shall meet the above requirement. Stormwater plan to be submitted to Corinna Zoning Administrator and neighbor, Cindy Anderson.

4. Any fill or grading on the site that would change drainage patterns or storage volumes for water - except for those areas under or within 5 feet of the proposed

home - shall require a separate conditional use permit. The applicant shall consult with the Township Zoning Administrator to determine whether this condition applies before engaging in any such work.

Schultz seconded the motion.

**Naaktgeboren:** For discussion: Do we have to have a yardage number for fill?

**Oleson:** More important that it drains.

Motion carried unanimously.

Requests related to the demolition of an existing cabin and construction of a new dwelling. Approvals required include Variance to construct a single-story dwelling with screen porch, open deck and walkout basement approximately 68.9 feet from Bass Lake (min. 75 feet required).

Applicant/Property Owner: Chris Rogers/Rogers Family Revocable Living Trust

Property address: 11699 Kimball Ave NW, Annandale

Sect-Twp.-Range: 4 and 5-121-27

Parcel number(s): 206000051402 and 206000042304

**Present:** Chris and Deb Rogers, Al Evavold from ACAP Custom Homes and Bernie Miller addressed the Planning Commission.

**Chris Rogers:** Bought cabin in 2001. It is 100 years old. Small variance for corner of deck. Build one level home - with lookout reason variance - want 6.1 foot to manage water off and around the home. When it rains - there is a track to Kimball Ave. The variance will make a big difference - in getting the water away from the home. Establish grade away from the home to the east. Going back much further created a challenge. Existing drainfield - we plan to keep it. Other hardship - backing out vehicles about and turn around. House is further back. It will help create an area where we can turn vehicles and an emergency vehicle. Structure is behind setback area - except small portion. Improvement to existing conditions. Able to manage drainage. Setback, high water line is not perpendicular to lots lines. Turn house - affects drainage. Hoping to minimize that. Overall impervious - 21.4 percent. Under the maximums. Like to get started this fall. None of our neighbors are here to object.

**Bernie Miller:** Understands and cares so much about how this is going to work. Had excavator out there looking at things. We took off 3 car garage so there is better drainage there. It is hard to visualize drainage on a flat piece of paper. Grading is the hard part. It is tough to visualize. We revised drawing 5 times. Put a lot of thought into this plan

**Oleson:** Lake setback is only thing. Just for porch and deck.

**Niklaus:** No comment

**Dircks:** Back further than existing house. I am OK with this.

**Schultz:** I am OK with it.

**Smith:** I am good with this. Glad Bernie worked with them on drainage.

**Naaktgeboren:** It is a nice plan. Well designed. Staked out. Moving back from where you are at – it is a big move. I still question the practical difficulty – moving back 7 feet – not a difficulty. You aren't really changing it much.

**Guck:** Could have built on same footprint. You could have done without a variance. But I like the plan.

**Smith:** I am glad that you are willing to take off a third stall on the garage.

**Naaktgeboren:** Unique that you have room on your lot.

Schultz made a motion, based on the findings of fact, to approve the Variance to construct a single-story dwelling with screen porch, open deck and walkout basement approximately 68.9 feet from Bass Lake (min. 75 feet required) with the following requirements:

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, wetlands, road right-of-way or onto adjoining properties. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.

Smith seconded. Motion carried unanimously.

Requests related to the extension of an existing covered deck by 4 feet. Approvals required include a Variance to construct a 4' x 10' deck approximately 64 feet from Sugar Lake (minimum 75 feet required).

Applicant/Property Owner: Brian and Tina Diedrick  
Property address: 11125 Hollister Ave NW, Maple Lake  
Sect-Twp.-Range: 2-121-27  
Parcel number(s): 206056001070

**Tina Diedrick:** Basic – variance – had a variance to build house. Built deck – deck is not useful to walk on a 4 foot deck. Requesting an additional 4 foot of deck. Not to cover it – just to extend it.

**Schultz:** Not cement under it?

**Tina Diedrick:** No. Working with Soil and Water – putting in native plants for erosion control.

**Brian Diedrick:** My dad could not watch the kids. It is not going to come out to the end of the stairs.

**Oleson:** Variance for house in 2019 – built in 2020. Right up against building coverage limit. This will not add building coverage to it.

**Tina Diedrick:** It is a small lot. Struggled to get house there. It had been in the family for 35 years. Talked to neighbors.

**Schultz:** Stairs are going to stay the same?

**Brian Diedrick:** Yes.

**Guck:** Are there any comments: There were none.

**Schultz:** I am done.

**Niklaus:** You realize you are at the limit.

**Dircks:** I can appreciate your wanting to be able to sit outside and enjoy the lake. Deck will let water drain through.

**Naaktgeboren:** I don't have problem with it.

**Smith:** I am good.

**Guck:** How do you support it?

Diamond pier?

That is a Matt Bronder question.

**Guck:** I don't see a problem with it.

Niklaus made a motion, based on the findings of fact, to approve the Variance to construct a 4' x 10' deck approximately 64 feet from Sugar Lake (minimum 75 feet required).

**Oleson:** Standard stormwater management plan. Don't know what more they are going to do beside what they have already done. Take that off as a condition?

Smith seconded with condition 1 off.

Motion carried unanimously.

#### Approve Previous Meeting Minutes

Smith made a motion to approve meeting minutes of July 11, 2023.

Shultz seconded the motion. Motion carried unanimously.

#### Zoning Administrator's Report

Permits

Correspondence

Enforcement Actions

Oleson: No report.

#### Other Business

Comprehensive Plan Future Land Use Map – Draft



**Oleson:** Town Board set up subcommittee: John Dearing, Steve Niklaus and Jeff Lundquist. We looked at the charge of that committee - more dense housing in the future? Changes to zoning map that we suggest to the county. Went through that.

- The Planning Commission was presented with a draft update to the Township's Comprehensive Plan "Future Land Use Map" as had been recommended by a Township Subcommittee tasked with reviewing that map for possible updates. A copy of that map is attached and is the same as the map reviewed by the Town Board at its previous meeting. A public hearing will be scheduled for September to take comment on the proposed map and ultimately to determine if the Planning Commission will recommend approval of the map to the Town Board.

Adjournment: A motion was made by Niklaus, seconded by Smith, to adjourn. Motion carried unanimously. Meeting ended at 8:32 p.m.

Respectfully submitted by Mary Barkley Brown, Township Clerk