

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
April 8, 2014

7:00 PM

Charlotte Quiggle called the meeting to order at 7:00 pm on April 8, 2014.

Roll Call: Board of Adjustment/Planning Commission Members Present: Charlotte Quiggle (Chair); Larry Smith; Larry Thompson; Lee Parks; Trish Taylor; Ben Oleson (Zoning Administrator).

Absent: Barry Schultz

Others in Attendance: Kelly Bruggeman, Steve Bruggeman, Kathryn Brevik, Mark Mengelkoch

Additions or Deletions to the Agenda: Taylor made a motion to approve the agenda as presented. Thompson seconded the motion. Motion carried unanimously.

Public Hearings

- a. Conditional Use Permit/Land Alteration for the movement of approximately 200-250 cubic yards of earth and materials in a shoreland district to prepare a building pad and driveway for a new garage.
 - i. Applicant: Steve Bruggeman
 - ii. Property address: Across from 11815 - 89th Street NW, Annandale
 - iii. Sec/Twp/Range: 19-121-027
 - iv. Parcel number(s): 206000192205, 206048000050

Present: Steve Bruggeman, Kelly Bruggeman

Bruggeman: Pretty much the same that we proposed we will be taking out approx. 200 yards of material and bringing back in about 20 - 22 yards of rock pulling back the top soil and then putting that back on. We will be working with Back Yard Reflections to do landscaping and putting in the rain garden, will be putting a culvert across the tar and gutters on the North side of the garage. The easement [as required by the 2013 BOA approval of the lot split] is at the title company getting completed.

Oleson: The applicant is proposing to move approximately 200-250 cubic yards of material to prepare the site for a new detached garage. Most of the moved soil will be excavated and hauled off-site. A limited amount (approx.. 50+/- cubic yards) may be used on-site for preparation and shaping of the building pad and driveway. Additionally, a retaining wall ranging from 6ft to 1 ft in height will be constructed on the north side of the driveway to hold back the hillside. Main issue on the staff report is the stormwater management plan.

Quiggle: Soil and Water indicated adding some gutters and making sure they are directed towards the rain garden and tipping the driveway to the NE.

Oleson: They mentioned tilting the driveway and will check with them if they meant to say to the SW. Another suggestion is to run the downspouts to drain tile which would run to the rain garden. So we want to make sure the gutter downspouts have extensions on them or run underground so that the water does not run on top of the ground. We have indicated in the staff

report that they will have to submit a permanent stormwater plan. You can be specific or have them work with the Administrator and Soil & Water.

Quiggle: I thought we would have stormwater management plan here today.

Oleson: We did talk about getting a letter from Bernie Miller regarding septic and we do have that. One other condition that is in the staff report talks about what to do if the stormwater management plan does not work. Can we go back to make sure it is working and require different best management practices if its not, and how long can we go back? Is 5 years too long? I feel that we should be able to go back and make changes if it is not working. The other item in the staff report talks about having a plan B if Plan A is not working.

Thompson: Hard to figure out plan B without plan A

Oleson: Bernie Millers plan indicates that if plan A does not work they would put in rock checks so it does somewhat indicate what plan B would be.

Smith: Are you intending to use class 5 or black top on the driveway?

Bruggeman: Blacktop and concrete apron.

Lee: Gutters on back side will go down and out?

Bruggeman: Yes we will run them down and then out towards rain garden.

Smith made a motion to approve the CUP for movement of approximately 200-250 cubic yards of earth and materials in a shoreland district to prepare a building pad and driveway for a new garage with the following conditions:

- That the primary and backup septic sites identified in the site plan shall be staked so as to identify their location. All earthwork shall be conducted in a way that would not compromise these sites.
- 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 the area of disturbance and the road and neighboring property to the west, seeding of all disturbed areas and installation of erosion control blankets as identified in the submitted erosion control plan, or as otherwise recommended by Wright County SWCD and/or approved by the Zoning Administrator.
- The applicant shall implement 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 runoff from the garage and driveway prior to it flowing onto the township road and/or the neighboring property to the west. These may include directing rain gutters to appropriate areas, rain barrels, 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.
- The applicant shall submit a stormwater mitigation plan that identifies additional best management practices that could be taken to address erosion that may occur that is not adequately handled by the permanent stormwater management plan identified in #3 above.
- If, at any time within five (5) years of the approval of this application, the Zoning Administrator determines, after consultation with the Wright County SWCD and the landowner, that significant erosion or other negative impacts from stormwater runoff occurring as a result of this project, the applicant shall implement best management practices sufficient to mitigate those negative impacts, whether or not such necessary

practices were contained in the original or mitigation plan identified in #3 and #4 above.

Taylor seconded the motion.

Motion passed unanimously.

Approve Previous Meeting Minutes:

Taylor made a motion to approve the March 13, 2014 meeting minutes. Smith seconded the motion. Motion carried unanimously.

Zoning Administrator's Report

- b. Permits – Oleson reviewed Permits that are coming up
- c. Correspondence
- d. Enforcement Actions
- e. Findings of Fact – Previous PC/BOA Decisions – Reviewed and OK'd

Other Business

Oleson indicated that he has been talking to Mark Mengelkoch regarding the plans for the addition to his home. He was granted a last year for an addition on his cabin and shed. A question came up when I was looking at the plans that were submitted since they are different than the ones submitted when he came in for the variance. The variance is due to the house being too close to the bluff and too close to the lake and setback issues with the sewer and road. The plan that was submitted with the variance did not have any side views, but included a bonus room above that was not part of the discussions last year. I did listen to the recording and looked at the minutes from the variance meeting and there was not mention of a bonus room until the plans that came with the permit application indicating a bonus room.

Mengelkoch: Our original plan was to have a loft above the garage, which we were not aware was not allowed until after the meeting. So instead we looked at adding on to the home.

Quiggle: Generally when you apply for a variance it is approved per the plans that are submitted at the time.

Oleson: That is my question, is this something that you are ok with since the footprint is still the same or is it something that you need to review the plan.

Quiggle: I want to see exactly what you are planning on building.

Smith: The catch I see is the roof pitch that is something that was not on the plans and it was not talked about at the original hearing.

Mengelkoch: We did not realize it at the time of the meeting, we were focused on working on the shed at the time.

Oleson: If the opinion is that it was not what you approved he can either reduce it back down or apply for another variance to get the extra bonus room.

Mengelkoch: The roof would be 4 ft higher, it is not a second story just a loft area mostly for storage.

Smith: I think we need another variance to look further into and notices need to go out.

Mengelkoch: I would like to go for the variance.

Oleson: We could get you on the May agenda.

Oleson gave an update on the Fred Jude Wright county Rezoning Application, the next step was to go to Wright County and he is on the agenda for this week. Wright County has asked to see what the plan was for the property split. He had discussions with the town board and had a plan put together that he will be presenting to the county. What he has here is 5 lots, a couple 5 acres a couple 10 acres and an outlot. We approved AG with a PUD overlay so he could have less than 10 acre lots. If the County approves the next step is to come back to us for the subdivision application and go through that process. Sean Riley and I have had several discussions over the past week, the PUD ordinance indicates that you have to create open space. In one category of those which is the rural PUD is to protect farm land from buildings. In the other part if you are not doing the rural the open space should be common interest open space. The county indicates they are not protecting farm land it has to be common interest. There is nothing that indicates how much has to be in the open space. My reason for bringing this up is to make you aware and do you want me to bring comments to the County before their meeting.

Quiggle: I do not like the way it is currently laid out. The homes should be clustered more on smaller lots with a larger outlot in the rear under common ownership.

Oleson: The County may look at this and decide they do not want to approve or they could change it and not go with the recommendation of the board. If we want to do something different with PUD's we would have to be more restrictive. The ordinance is vague.

Smith: I thought he was going to do more lots near the road with more land to the back.

Oleson: Basically what I am hearing is that you are not in favor of the larger lots and would like smaller lots along the road, however, you are ok with the PUD overlay.

Comprehensive Plan Update - Continue to review and update the comprehensive plan.

Smith made a motion to adjourn at 8:46 pm, Quiggle seconded the motion. Motion passed unanimously.

Minutes prepared by: Jean Just