

CORINNA TOWNSHIP  
AGENDA  
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION  
August 10, 2016  
7:00 PM

Charlotte Quiggle called meeting to order at 7:00 PM on August 10, 2016

Board of Adjustment/Planning Commission Members Present: Larry Smith, Charlotte Quiggle (Chair), Al Guck, Dick Naaktgeboren, Barry Schultz, Ben Oleson (Zoning Administrator)

Absent: Trish Taylor

Others in Attendance: Mary Ellen Wells, Bill Arendt, Darwin Hoffman, Peter Zielsdorf, Juli Zielsdorf

Additions or Deletions to the Agenda: Schultz made a motion to approve the agenda. Smith seconded the motion. Motion passed unanimously.

Public Hearings

Variance to construct a replacement sewer drainfield approx. 64 feet from Mink Lake (min. 75 feet required).

Applicant: Peter and Juli Zielsdorf

Property address: 8020 Grunwald Ave NW

Sec/Twp/Range: 24-121-27

Parcel number(s): 206049000010

Present: Peter & Juli Zielsdorf

**Zielsdorf:** We bought the property and we had to get the septic updated. We had a design done and the best we could do was about 9ft shy. The property is pretty unique and the options are limited.

**Oleson:** On Mink Lake the minimum set back is 75ft. So they are meeting the setbacks with the tanks at over 80ft so the issues is the drainfield. My conversation with Bernie Miller is that this is the best location and the alternatives would be digging up driveway and not a type I sewer system.

**Audience:** NONE

**Schultz:** I don't see that you have any choice.

**Smith:** Looks like a good plan.

**Guck:** Fine with me.

**Naaktgeboren:** I don't have a problem with that, I was looking at running parallel with the drive way but it would not work with the contours.

**Quiggle:** I agree with everyone.

Schultz made a motion to approve the variance to construct a replacement sewer drainfield approx. 64 feet from Mink Lake. Smith seconded the motion. Motion passed unanimously.

Variance to construct a dwelling on an undeveloped lot of record with a Type III sewer system (Type I sewer required).

Applicant: William Arendt and Mary Ellen Wells  
Property address: None (84<sup>th</sup> Street NW, Annandale)  
Sec/Twp/Range: 22-121-27  
Parcel number(s): 206040002060

**Present:** Bill Arendt & Mary Ellen Wells

**Arendt:** When we acquired the land in 2013 just the way the lot is laid out we wanted to put the house towards lot 6 and the drainfield would go up. Bernie Miller did all types of soil testing and determined that when they widened County Road 6 it caused issues so that we could not do a Type I, it would have to be a Type III which will function as a Type I tacking out the bad soil and replacing with sand/gravel.

**Oleson:** The variance on this one the house will meet all the requirements it is just that it will not be a Type I sewer system.

Audience: NONE

**Smith:** I guess we do not have much options and you have done your research so I am ok with a Type III.

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

**Naaktgeboren:** I am fine with it.

**Schultz:** Good.

**Quiggle:** I am also good with it.

Smith made a motion to approve the variance to construct a dwelling on an undeveloped lot of record with a Type III sewer system. Guck seconded the motion.

Naaktgeboren asked about the staff recommendations. Arendt asked what would happen if they need to do a Type IV system, would they need to come back. Quiggle indicated we could give approval for both.

Smith amended the motion to approve the variance to construct a dwelling on an undeveloped lot of record with a Type III or Type IV sewer system with the following staff recommendations:

1. That the applicant be allowed a non-Type I system (the applicant's sewer designer indicates that the landowner may wish to change from a Type III system to a Type IV system).
2. That the applicant meet all requirements for regular monitoring of the system and have a mitigation plan in place should the installed system fail.
3. That the applicant ensures that the drainfield meets a minimum 10 ft setback from the road easement, unless it is determined by the applicant's designer and Wright County Environmental Health staff that a closer setback is preferable to ensure proper operation of the septic system.

Guck seconded the motion. Motion passed unanimously.

Land alteration permit to place/move approx. 265 cu yds of material (245 cu yds fill/20 cu yds cut) for the purpose of accommodating a new home.

Applicant: William Arendt and Mary Ellen Wells  
Property address: None (84<sup>th</sup> Street NW, Annandale)  
Sec/Twp/Range: 22-121-27  
Parcel number(s): 206040002060

**Present:** Bill Arendt and Mary Ellen Wells

**Arendt:** The road to 84<sup>th</sup> is higher and then it goes down pretty steep and the house is pretty level to the lake, the house is going to be up a little higher and be a slab on grade and will have a swale. We have been working with Bernie & Darwin indicating we will need about 250 cu yards of material to build it up.

**Oleson:** The reason for the CUP is the moving more than 50 yard. We do not usually count the amount needed for the driveway. We look at if it will change the drainage pattern for the neighbors and if there will be any changes to the lake.

**Guck:** You will not have any trees left?

**Arendt:** We have lake side trees, but the four cottonwoods would come down.

**Guck:** When water comes off the house will it go to a rain garden?

**Arendt:** Yes and the swale to the South is larger than the swale to the North. We are looking at putting more water towards the larger swale.

**Naaktgeboren:** I appreciate the design that you have to put together for run off. You have the property to be able to do that. How high do you want to raise that up for the house.

**Arendt:** It will be about 1.5 ft higher and it will be on the road side towards the swale.

**Dick:** Are you going to need a setback variance to the road?

**Arendt:** No.

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

**Smith:** What type of fill?

**Arendt:** Gravel with top soil on top of that.

**Quiggle:** One question is the native area to the north is not as deep as the one to the south?

**Arendt:** The one on the south side may be a little longer but close to the same.

**Quiggle:** That is my only question and you will put in the erosion control measures.

Naaktgeboren made a motion to approve the Land alteration permit to place/move approx. 265 cu yds of material (245 cu yds fill/20 cu yds cut) for the purpose of accommodating a new home 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 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.
2. The applicant shall implement the permanent stormwater management plan as submitted or as otherwise approved to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of runoff from the site prior to it flowing onto the township road and/or the neighboring property to the east. The plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained in perpetuity.
3. The applicant shall submit a stormwater mitigation plan that identifies additional best management practices that could be taken to address stormwater containment that may be necessary if the fill were to negatively impact the neighboring property or the lake if the approved plan proves to be inadequate.
4. If, at any time within five (5) years of the approval of the placement of the fill the Zoning Administrator determines, after consultation with the Wright County SWCD and the

landowner, that significant erosion, drainage or other negative impacts from stormwater runoff are 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. This may include the removal of fill placed during this process to restore an area for flow or detention of water.

Larry seconded the motion.

**Quiggle:** Only thing I would like to add is that it is constructed and maintained as is in the plan for the life time. Motion passed unanimously.

Approve Previous Meeting Minutes;

Naaktgeboren made a motion to approve the July 12, 2016 meeting minutes. Smith seconded the motion. Motion passed unanimously.

Zoning Administrator's Report

Permits; Oleson indicated that Ertl on sugar lake decided to replace to the same size and moved 5 ft away so they could put windows on that side; I have been talking with the DNR and Sugar Lake does not have a mapped floodplain map; Ertl's revised their plan and permit application based on what I told them the elevation of the lower level had to be. What I told them was that the lowest livable level of the house had to be at 4 ft above the highest known water level and the crawl space 3 ft above the OHWL. There has been lots of confusion when talking with the DNR this last time I checked with them they had changed what I had understood; On lakes that do not have a mapped floodplain they do not define the lowest floor and in talking with Craig Schultz he indicated we always say lowest livable floor; As I talked to the DNR this last few weeks, however, we look at both the which is in conflict from what I told them before; It's about a foot and seven inches different. So Ertl has a 5ft crawl space, they are going to bring in just under two feet of fill and have a 5 ft crawl space, they are to meet that. However, based on the new information the DNR says it has to be 3 ft about the OHWL and they are not going to meet that. I have talked with the Ertl's letting them know that they will have to be a foot and half higher or they can apply for a CUP. Builder indicated that they could not put the vents in because there are utilities located in there. Craig Schultz said that this is not how we look at it and only look at the lowest livable floor. I am in a position where we require the extra fill and they would have to put the utilities on the main floor which they do not want to do. Based on discussion prior they did their plans based on the information I gave them. Board felt that the right thing to do is to have them raise it up and they can decide on if they want to raise the entire house so that they still have the five foot crawl space.

Board had discussion on shoreland/DNR/FEMA regulations

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions;

Naakgeboren made a motion to approve the findings of fact for Lofgren, Lund/Libertus, Greene, Kotzer, and Miron. Smith second the motion. Motion approve unanimously.

#### Other Business

Expansion Policy: Board had discussion regarding what can or cannot be done. In this case they are rebuilding a boat house which is the same size and footprint, however, they would like to move it back. Is that ok since it is making it better and they are not expanding the footprint. This can also come into play with septic systems, impervious coverage and fences. Question is do we have to follow the state statute. After discussion the board felt that as long as they are not expanding the footprint and are making the setback better not worse it would not need a variance.

We have situation where they have to replace their holding tank and now we are going to be closer to the lake, Wright County is indicating they do not need a variance because it is making things better. Oleson pulled it up on the map, it is going to be further from the lake, however, 25ft from the OHWL. It was not getting any closer to the lake so it is better than it was.

Continued Discussion - Planning Commission Training (No discussion)  
Discussion - Erosion protection requirements and enforcement (No discussion)  
Follow up on previous variance applications (No discussion)

Schultz made a motion to adjourn. Smith seconded the motion. Motion passed unanimously at 8:50pm

Prepared by: Jean Just