

CORINNA TOWNSHIP  
AGENDA  
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION  
August 13, 2013

7:00 PM

Charlotte Quiggle called the meeting to order at 7:00 pm on August 13, 2013

Roll Call: Board of Adjustment/Planning Commission Members Present: Charlotte Quiggle (chair); Trish Taylor; Lee Parks; Barry Schultz, Larry Thompson

Absent: Larry Smith

Others in Attendance: Gary Fehn, Benny Fehn, Judith Grega, Bernie Miller, Jim Powell, John Kobe, Susan Bubany, Marc Mattice, Court Holman, Orville Jonsrud, Harvey Dahl

Additions or Deletions to the Agenda: Add: Trish Taylor summary of Clearwater Watershed meeting and tour. A motion was made by Schultz to approve the Agenda with the one addition, seconded by Parks. Motion carried unanimously.

**PUBLIC HEARINGS:**

- A. Conditional Use/Land Alteration for the movement of earth and materials in excess of fifty (50) cubic yards in a shoreland district intended to prevent further shoreline erosion and repair existing erosion. Project will involve the placement of boulders and fill soil along approximately 300ft of shoreline a Clearwater/Pleasant Regional Park (Pleasant Lake)

**Present :** Mark Mattice, Wright County Parks Administrator

**Mattice:** Clearwater/Pleasant Region Park on the Pleasant Lake side, right below the picnic shelter, there is erosion due to ice out and wave action the past few years. What we are looking to do is about 260 ft. of large bolder retaining type wall under the 3-1 slope. On the back side right now is turf grass, we are going to get rid of that and put in native grasses. We will stay a foot or so above the OHW to comply with DNR regulations. Soil and Water have been on site and reviewed it, I am working with Roger at Soil and Water to make sure we do not extend out 200 ft. We will be keeping most of the exiting grade and will be about 2ft high.

**Audience Comments:** Is it by the beach? Beach is to the right of the wall if looking at the lake.

**Oleson:** The reason for the Conditional Use is because it is over the 50 cubic yards due to the amount of rock that will be brought in. What they are proposing is to create a boulder "wall" slightly above the ordinary high water level (OHWL) of Pleasant Lake to prevent further erosion of the shoreline, which has had significant erosion in the past several years. Soil and Water have sent a letter. We recommend approval with the conditions listed and add a third one to make sure they follow DNR regulations.

**Mattice:** We will be putting in silt fence and when we reseed we will use covering and [erosion control] mat. We are getting a sewer inspection, Bernie Miller is working on that, verbally he indicated it looks good. However, if it does not pass we will have to update.

**Taylor:** My concern is the kids playing on the boulders.

**Mattice:** We did not want to use rip/rap rock since most of them end up in the lake, we will have native grasses that will be longer and that should discourage kids from going along the wall. Nothing is high enough that they would fall very far.

**Schultz:** Looks good.

**Lee:** Good.

**Thompson:** Good.

**Quiggle:** I think it is a good project as a whole, since you are going to be planting native grasses, I want to know what your maintenance plan will be going forward. The reason for my concern is Collinwood had some of the things done, however, there was no maintenance done and it is not in good condition now.

**Mattice:** Everything was good the first year, however when ice out came it took everything out and there was nothing left. That is why we would like to do the boulders with this project.

**Quiggle:** I just want to make sure that it will be managed and will do a weeding program.

**Mattice:** We will do native grasses along with prairie grass which is easier to manage and we will do weeding.

**Quiggle:** Do I hear a motion?

Taylor made a motion to approve the Conditional Use/Land Alteration with the following conditions:

- 1) The applicant shall implement the temporary and permanent stormwater management plans as identified in their application or as otherwise approved by the Wright County SWCD. If, during on-site inspections, SWCD staff feels that additional changes to the plan are warranted, these shall be followed.
- 2) All erosion control measures – temporary and permanent – shall be fully implemented until such time as the site has been stabilized, as determined by the Zoning Administrator in consultation with the SWCD Staff.
- 3) Meet all DNR Standards
- 4) That it be maintained and taken care of going forward.

Thompson seconded the motion. Motion carried unanimously.

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- B. Variance to construct a new 1,397 sq ft two-story home with an attached 537 sq ft garage on an undersized lot approximately 45 feet from the Clearwater Lake (min. 75 ft required) and 16.2 ft from a new septic drainfield (min. 20 ft required). Variance for a new septic system to be 5 ft from a road right-of-way (min. 10 ft required).

Present: Gary Fehn, Bernie Miller, Judith Grega

**Fehn:** What we are looking at is to purchase the Grega property. We are looking to get a couple of variances to make something fit for this property. The layout we have right now is not set in stone and can be adjusted if need be. We did not have a lot of time to put a plan together and wanted to keep the project moving along.

**Miller:** This is something that had variances granted in 2006, the original house burnt down so we worked on a new plan and were granted variances to get a house and septic to fit in there, however, nothing had ever been done. Since then the lot has just sat there. The neighbors to the right have since updated their sewer and put in a new deep well which has opened up a few options for this property. The lot is really close to the 997 elevation at 996.7 or 1 ft below the high water mark so is very close and does not require much fill to meet that. Since the original application 103<sup>rd</sup> street was redone and lifted up and water flow issues were take care of. Mr. Fehn came to me with his house plans and we worked on making changes that would work for the house and the septic. Original variance was granted at 45 ft from the lake so we stayed at that, maintaining 20 ft set back the house to the septic but would need a 5 ft variance from the

road right of way. We wanted to maintain room on the side for drainage and make sure that water is away from the house and away from the hill. Grade wise this works nice, this lot does have a lot of nice trees and we would like to keep as many trees as possible. This provides for drainage and access with the 2 variances. Drainfield would be advanced treatment system and with going to a type 4 system we can downsize the system which helped us keep as far back from the lake as possible.

**Grega:** I am just here to support that lot being developed.

**Oleson:** I will just recap what the variances are, the lake set back at 45 ft, 75 ft required, set back from drainfield to house is 16.2 ft, 20 ft. required, and set back from road to drainfield 5 ft 10 ft required. There was a variance granted back in 2006 with a 45 ft set back, and side lot line variance, the house and garage were a little smaller than proposed now. In terms of impervious coverage, they were at 14.5% before the fire, with what they are proposing they are 14.9% but still under the 15% that is allowed. Total impervious coverage before the fire was 21% now 23.5% that includes things they are not doing now but may be doing in the future.

**Miller:** We included a 240 ft patio and 150 ft of sidewalk which would be a lot but we wanted to show that we would be under 25%. This may change but we used numbers to make sure it was still able to be done.

**Audience:** My name is Jim Powell and I own the home to the west, the existing garage is partially on our property and would be very happy to have this removed. Our concern is that the land is protected when the garage comes out.

**Oleson:** One of the conditions we have listed if approved is that when the existing garage is removed the area is restored to the natural slope and stabilized with a retaining wall 4ft or less in height and may be need some fill behind it to slope it down to the wall.

**Fehn:** We have talked about this and what we may do is take the wall down to the existing grade and make sure the bank does not collapse, we will be working with neighbors and with Ben on what needs to be done.

**Audience:** My name is Harvey Dahl and I have a concern with a house that close to the lake. I do not feel that we should allow a house 45ft from our beautiful lake. They allow variances for septic systems and houses that are 2000 sq ft on a small lot; we do not need any more houses like that down in that area. We should just throw the laws out if we are going to keep allowing homes to be built that close to the lake. I don't mind people building homes but you should follow the rules.

**Schultz:** I understand what Harvey is saying, however, the houses on both sides are closer or the same as the others in the area and you would not be changing the character of the lake. When the house burned down she had the right to rebuilt what she had correct?

**Oleson:** She could have rebuilt what she had just not expanded it. The house to west is 41 ft from the lake and on the east is 23 ft from the lake.

**Taylor :** How big is the lot?

**Miller:** 13,468 sq ft, 110 ft deep on short side and 150 ft on the other side, lake side is 100 ft

**Taylor:** I again don't like to see anything that close to the lake, however, this is keeping in line with the others in the area and they could not meet the setback. I do have a concern about the removal of the garage and making sure no erosion. I am ok as long as we have something in place to make sure everything stays in place.

**Miller:** It is about 11 cu yards of soil and I am sure they can handle that.

**Taylor:** We are looking at a variance for the house to septic, road to septic and lake set back.

**Bernie:** The drainfield will have to be raised up a little bit so that it tapers down into where the ditch is and I believe that the road project has been completed and will not be done again for a very long time.

**Dearing:** I am sure there would be nothing done within the road right of way in the next 20years.

**Miller:** We could move the drainfield closer to the road to make sure we meet the 20 ft set back from the home.

**Taylor:** I don't want it any closer to the road where there is a chance that people may drive on it.

**Quiggle:** I do not see that happening when the drainfield is raised and a swale down into the ditch.

**Lee:** I do not have a problem with the foot print so much, how are we coming out with the height compared to the person on your left? You're at 35 ft tall on front.

**Oleson:** Compared to the one on the west?

**Lee:** The one on the east is a flat roof

**Thompson:** The one just a few down to the west is 3 stories high.

**Quiggle:** This is within the limits.

**Fehn:** Just so you know this is not a final draft and we can do something to the roof line to make it does not look so high. We could change it up if need be.

**Lee:** I do not have any problem with the foot print and where it is on the lake

**Thompson:** I think there is something to be said with Harvey's point and the laws are there for a reason, however, there has to be exceptions. I think they have come up with a good plan and I like what I see there.

**Quiggle:** I agree the laws are there for a reason and the ability for a variance is there for a reason, however, I do have an issue with 45 ft from the lake and would like to see if there is something we can do to move the house back slightly to gain a little more on the lake side.

**Miller:** We looked at all different options. As long as they are not driving on the drainfield and have no issues with the drainfield being a little closer to the home or to the road right-of-way.

**Quiggle:** I would like to see it as far from the lake as possible, and maybe that is just 3 – 4 ft but is still a little further. Whether we do that by having a narrower set back from road right-of-way, or narrower set back to the house or making the house narrower.

**Oleson:** Can the drainfield slide to the east a little bit.

**Miller:** They work better in 3 ft increments so when you start moving it those change; we are trying to match the grade of the house.

**Schultz:** Can the pressure bed be an L shape?

**Miller:** We could do different things that way; however, there is one oak tree in the front yard that we were trying to save. Give us some guidelines to work with.

**Quiggle:** So if we were to say 47 ft to the OHW and we are ok with shorting up some of the other setbacks.

**Miller:** We do have an alternate drawing going with 47 ft

**Oleson:** One thing you want to consider is that they are 66 ft from the center of the road right now so if we change that they may need another variance.

**Miller:** On this alternate plan we do meet the road setback and 47 ft from the OHW.

**Taylor:** Then you would be 15.3 ft from the garage corner to the drainfield.

**Oleson:** I just want state that depending on how things move around if you have more than 50 cu yards of fill it would require a separate CUP.

**Bernie:** That's why I figured the 11 cu ft for the garage and there is very little going in for the house itself. There should not be much dirt coming in there.

Schultz made a motion approve the variance to construct a new two-story home with an attached garage on an undersized lot not to exceed structure coverage of 15%, no closer than 47 ft from the OHW, no closer than 10 ft from a new septic drainfield and no closer than 5 ft from the road right-of-way with the following conditions:

- 1) The existing garage is to be removed and that area restored to the natural slope around it or stabilized with a retaining wall 4 ft or less in height. The applicant must

obtain written permission for any work to be completed on the neighboring property on which the garage partially sits now.

- 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 on downslope areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets 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. 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.
- 4) That any excavation/fill/grading necessary for the home/garage that will involve more than 50 cubic yards of material, or which would require special approval relating to floodplain regulations, shall require a separate conditional use/land alteration permit.

Taylor seconded the motion. Motion carried unanimously.

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- C. After-the-fact Conditional use/Land Alteration for the movement of earth and materials in excess of fifty (50) cubic yards in a shoreland district. Work is intended to repair active erosion problems and prevent further erosion of shoreline and hillside. Project involves creating terraces with boulder retaining walls and installation of drain tile.

**Present:** Court Holman

**Holman:** What's happened is I had a small seasonal cabin. I did not know it but when the snow melted I was getting a huge amount of run off from the land behind me and the road and it collapsed a wall and slid my house off the foundation about 5" so I was forced to knock it down and rebuild. We situated our home on the property so that no variances were needed, we met all the setback requirements. Due to the runoff we had to terrace our yard, we have 4 terraces on the back side and 2 in the front. I had no idea we were going to do this and an expense we did not know we were going to incur. The reason I am here is because I brought in so many boulders to make sure that the water does not go to my neighbors and does not go to my home. There are a series of walls and they are lower than the road and as of today there is still standing water on the road. I need to make sure that water does not go to the drainfield and the rest of the terracing is to slow the run of water so that it does not hit the house. We have been using most of the dirt that was there and have not had to bring in much, we did bring in about 2 two truckloads of class 5 up on top. I can show what we will be doing, we will be planting perennials and shrubs along each terrace to create a buffer otherwise everything will be grass.

**Lee:** Who engineered?

**Holman:** I have a landscaper from the twin cities. We realized what was happening when the snow melted and it was like a waterfall coming down. We had originally done two rows and it did not stop the water. I think the township has added some class 5 to the road. Our neighbor on the back side has a drainpipe running towards the other neighbor's house causing water problems with his home. We have had to add walls to slow that water.

**Dearing:** We have not added the gravel yet, we are waiting for Dean Flygare to do the septic system and then they will add some gravel with the hope that it will take the water back to the culvert.

**Holman:** There is a culvert/drain at the neighbors. There is no way to make a ditch correct?

**Dearing:** No we cannot do that.

**Charlie Onsrud:** I live next door, we have both had water issue and have 100's of hours in trying to get the water taken care of . The road continues to have to be repaired in a couple of areas.

**Quiggle:** One comment came in on line from Bill Arendt: The letter indicated that the site plan and erosion control plan show the blacktop driveway on the north side of the property turning into the garage and ending there. However, the current driveway does not end it continues down towards the lake. This causes more runoff than need be if the plans are followed. I suggest the driveway end at the garage and the remaining section be devoted to plantings or sod or similar filters so that less runoff gets directly into the lake. The boulders should definitely be considered impervious, considering both the large sizes and the large number of them. This would then make the driveway adjustments necessary.

**Holman:** On the original plans the driveway continues all the way down. We did remove a second driveway. There was a second driveway going down to sheds and sidewalks that were removed and turned them into dirt. This is our only access to our beach to clean weeds or mowing. We do use it to drive my parents down to the lake.

**Oleson:** The reason for CUP is the amount of material brought in it is mainly rock that was brought in. Ideally we like to deal with it before it happens, however, due to a variety of reasons we have to deal with it after the fact. We received a letter from Wright County soil and water district with suggestions as to the sizing of the downspouts, drain tile etc. They have done some of that already. We talked about what the township is trying to work on with getting water to go to the catch basin.

**Quiggle:** Is there a catch basin down at the bottom?

**Onsrud:** The Township put that in and there are rocks at the bottom.

**Lee:** So what we are asking for is to move more than 50 Cubic Yards of material?

**Oleson:** Yes, it is a Land Alteration/CUP to bring in more than 50 Cu Yards of material.

**Quiggle:** What are your thoughts on the boulders being considered impervious?

**Oleson:** On this plan they were over 25% and then under 25% by removing sidewalk and driveway. However, are the boulders considered impervious or not? Everyone has a copy of the Definition of Impervious.

**Lee:** How close is he to the impervious?

**Oleson:** 23.1% . The definition indicates that impervious is incapable of letting water in and rock does not let water in, but at the same time it exempts a 2ft overhang and you can argue that it drips down and through.

**Thompson:** Rocks water cannot go through. When you use boulders what is used between the boulders?

**Holman:** Boulder fabric that allows water and not dirt or weeds.

**Thompson:** So it really does not stop the water it slows it down. Is there not a black or white definition?

**Oleson:** I talked with Wright County and they said with rip/rap when it down by the lake they do not count it, partly because it is smaller rock and partly because it is down by the lake. I did not receive a black and white answer on this. They indicated it would be up to us.

**Thompson:** What I'm reading as impervious is it is not capable of water coming through, however, the water is coming through the boulders.

**Quiggle:** Water will bounce off the rock and then filter down.

**Holman:** Between each tier I will be doing perennials with mulch or grass

**Schultz:** That is going to help infiltrate everything.

**Lee:** I guess in my mind the rock would be 50% pervious credit

**Thompson:** I was going to say the same thing.

**Quiggle:** So maybe that is how we give credit for rock walls. So we will have to do the calculation and make sure we are not over impervious.

**Holman:** We are done with the rock if you need to get measurements.

**Oleson:** Even with giving 50% credit for the walls you may still be over the 25%, if you are the option is to either apply for a variance or remove some impervious surface elsewhere.

**Quiggle:** I feel like the contractor has been cavalier about the erosion control and that he needs to make sure that the silt fence is up. It is his job and he needs to be more active in making sure these things are taken care of. Maybe there needs to be more silt fence in place. As far as the Cup/Land Alteration do I hear a motion?

Parks made a motion to approve the After-the-fact Conditional Use/Land Alteration for the movement of earth and materials in excess of 50 cu yards in a shoreland district with the following conditions:

- 1) The applicant shall implement temporary and permanent stormwater management plans, as approved by the Township after receiving input from Wright County SWCD. If, during on-site inspections, SWCD staff feels that additional reasonable changes to the plan are warranted, these shall be followed. The permanent stormwater management plan shall take into consideration the watershed area, the amount of water running through the property, the velocity of that water during expected rain events and the prevention of scouring at the outlet of any draitiles/culverts or other diversions of water.
- 2) All erosion control measures – temporary and permanent – shall be fully implemented until such time as the site has been stabilized, as determined by the Zoning Administrator in consultation with SWCD staff.
- 3) The boulder retaining walls shall be considered 50% impervious. As such, the applicant will need to submit a detailed plan/survey indicating all existing impervious surfaces (including the walls) and identifying which impervious surfaces will be removed so as to meet the 25% impervious surface limit. This plan shall be reviewed and approved by the Zoning Administrator. The removal of impervious surfaces consistent with this plan shall be completed within 60 days of the approval of the conditional use permit and shall be inspected by the Zoning Administrator.

Taylor seconded the motion. Motion approved unanimously.

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- D. After-the-fact variance to expand an existing open porch and convert a portion to a screen porch approximately 42 ft from Bass Lake (min. 75 ft required) and approx. 4 ft from a side yard setback (min. 15 ft required) on a lot which may exceed impervious coverage limits.

Present: John Kobe

**Kobe:** The existing deck floor boards were rotting and the posts were leaning and decaying drastically. So I thought what I could do was go out 2 more feet and put up posts to hold it up not realizing it would be an issue. Once we got that up my wife asked if I could make it more permanent, and enclose it. I worked with the lumber yard to add the enclosed portion.

**Oleson:** Basically the issue with this is that it is close to lake, it was 44 ft and now it is 42 ft from the water and there is a roof on a portion of it.

**Quiggle:** All the way across it is 2 ft closer? And a roof has been put on.

**Oleson:** Yes, he did not build closer to the side just more of it to the side.

**Kobe:** I had it surveyed when I put in the garage, but do not have it with me. There are 4 parcels with this property.

**Oleson:** The other issue that came up is that it is close to the 25% impervious, if not over and he is increasing coverage by a small part. According to the ordinance you could replace the deck without a variance but not expand.

**Thompson:** The whole thing has increased by 2 ft?

**Oleson:** Yes everything was increased by 2 ft, however, where the screen porch is now comes closer to the lake then it jogs in closer to the house and wraps around the house it. The jog was 4 ft and is now 6 ft the covered porch was 10ft and now 12ft.

**Kobe:** I added the large posts in giving it the support it did not have before. I have not talked to the building inspector yet.

**Oleson:** I believe there is requirement to have footings but that would be what the inspectors would look at. What you need to decide is if you would you even allow him to expand?

**Quiggle:** Sorry to say, but it was already so close to the lake that I would not be in favor of expanding it.

**Audience:** My name is Susan Bubany and I live in the property adjacent to property and I have no objection. It is a nice improvement to the property and to the area.

**Quiggle:** One letter received, from Jim Kelso – Our cabin is next store to Kobe's to the east, as such, we would be one of the two property owners potentially most directly impacted to Mr. Kobe's deck/porch project. We are very supportive of a positive outcome on the variance request. The old deck and steps were old and likely not structurally sound or very safe. The new deck and porch looks wonderful and appears to be soundly constructed with high quality new materials. It is a definite "upgrade" to our neighborhood and I see absolutely no adverse impact to our property. Please give this request a "thumbs up."

**Taylor:** I guess I don't mind the 2 extra feet in the fact it's not a structure just a covered porch. I have mixed feelings on it. How does it compare to neighbors?

**Oleson:** They are both around 40–43 ft from the OHW so not much different than the neighbors.

**Quiggle:** But that is not a criteria for hardship.

**Taylor:** I have mixed feelings on this one.

**Schultz:** To me I do not have a big problem with it except it has to meet building code

**Lee:** I would have more of a problem if the others were further back.

**Oleson:** We have 2 issues to look at. Impervious and the setbacks from the lake and side lot. Are we granting the setback and if so if he is over 25% is that ok or does he need to take it out elsewhere.

**Quiggle:** What is the hardship that gives him the right to be 2 ft closer to the lake? He can replace it but not expand it.

**Thompson:** If he would have come to us before the fact I would not have approved.

**Quiggle:** I agree I would not have approved. He can replace at the same size.

**Thompson:** There is no reason I could have granted that deck. I agree there is a hardship now since you have some money into it, however, if you would have come before the fact I would have said no.

**Taylor:** Is the porch totally finished?

**Kobe:** Yes it is finished, it was just giving us a little more outdoor living, and it is only 2 ft but the 2 ft means a lot to us.

**Taylor:** I would like to know what the impervious coverage is.

**Oleson:** One of the options is to table it

**Quiggle:** Should we see what the vote would be first?

**Oleson:** We would need to decide on the front and the side since there is more deck on the side by extending it 2 ft towards the front. Not any closer to the side lot.

**Taylor:** How much work is it going to be to remove the 2 ft?

**Kobe:** It would be a lot of work to remove the 2 ft. I would have to take it all down.

**Thompson:** What do we tell the neighbors? If we grant it for Mr. Kobe we have to grant it for all.

**Quiggle:** The covered porch is added living space.

**Oleson:** For impervious purposes it does not matter if there is roof on it or not.



**Quiggle:** I could see approving the covered porch with the same footprint of the previous deck.

**Oleson:** So if he had a 10ft deck before he could have a 10ft covered deck now.

**Taylor:** I had to see him have to tear it down, but I agree with the 10ft, and closing the deck with a screen porch. I am fine with the side set back and increasing the rest from 4ft to 6ft.

**Thompson:** So we would be allowing the portion allowing the one portion to go from 4ft to 6ft which would be further from the lake than the 10ft portion we are not allowing him to expand.

**Oleson:** That is what I am hearing.

Parks made a motion to approve the variance to convert the 10ft portion of the deck to a screen porch that will remain at 44ft from Bass Lake, expand the 4ft portion of the deck to 6ft with a side yard setback of 4ft with the following conditions:

1. That the applicant submits a survey, or other suitable evidence, that the impervious coverage on the lot does not exceed 25%.
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 on downslope areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets 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 and sedimentation. 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.

Schultz seconded the motion. Motion approved unanimously.

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Minutes from the June 11<sup>th</sup> 2013 need to be amended to read from the center line to the road right-of-way for the Mengelkoch variance request. Thompson made a motion to accept the revised minutes of June 11<sup>th</sup> 2013. Quiggle seconded the motion carried unanimously.

Approval of the July meeting minutes.

**Thompson:** I have a question on the Brandt variance request , we have written that I suggested that we offer some kind of condition regarding the removal of the deck if the property sold and he thought he said removal of the black top driveway. Quiggle moved that we table and listen to minutes of the July meeting. Taylor seconded the motion. Motion carried unanimously.

**John Dearing:** We discussed at the last meeting regarding the garage by road right of way, we would like to make sure they are never closer than 20ft. **Oleson:** The ordinance does say that now and that it is a variance situation. We can add that as a policy so that people are aware of the policy. Ordinance is written as the right-of -way

**Taylor:** I went to the Clearwater Watershed District tour. Most of the people were from the lake associations in the area. If you have not gone on one you really should. Lots of information as to how they are controlling all the run off. They can control some of the runoff and water flow from the ditches and the creeks and showed how they are putting up the gates to control the cat fish, etc. We visited a property on Grass Lake on how they do some of the restoration with the natural grasses and prairie grasses on the shore line. The watershed district will be doing another one later fall or next spring.

Camp Courage question:

**Oleson:** They have an outdoor horse arena by County Road 7. They want to build a building in that location and enclose it. They would be doing the same thing they are doing now only year round. They have never gotten a CUP prior because it has been grandfathered. So the question is do we require a CUP for this because it is an expansion or do we consider it to be the same thing they are doing now.

**Taylor:** In essence they are no different than anyone else and they are putting up an additional structure and should have to follow the same rules.

**Oleson:** It is the same use just intensified, and my thought was since it is year round they would need the CUP.

**Quiggle:** There is a chance for more traffic and potential for additional more uses, I think its CUP.

**Oleson:** So we agree it should be a CUP?

**Group:** Yes

A motion was made by Taylor and seconded by Thompson, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 10:11 PM.

Minutes respectfully submitted by Jean Just.