

CORINNA TOWNSHIP
MINUTES
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
March 18, 2015
7:00 PM

Charlotte Quiggle called meeting to order at 7:00 PM on March 18, 2015

Roll Call: Board of Adjustment/Planning Commission Members Present: Trish Taylor, Larry Thompson, Larry Smith, Barry Schultz, Charlotte Quiggle (chair), Ben Oleson (Zoning Administrator)

Absent: Lee Parks, Jeff Lundquist

Others in Attendance: Colleen Scherber, Robert Hutchinson, John Jones, Steve Scherber, Matt Hennefin, Brenda Pilger, Bernie Miller, Ed Stracke, Jason Kolles

Additions or Deletions to the Agenda? Smith made a motion to approve the agenda with the addition of Camp Courage update under other business, Taylor seconded the motion. Motion carried unanimously.

Public Hearings

- a. Renewal of Interim Use Permit for the operation of a mining pit involving mining, crushing and screening of sand, gravel and rock.
 - i. Applicant: Jason and Geri Ann Kolles
 - ii. Property address: 10171 Ireland Ave NW
 - iii. Sec/Twp/Range: 10-121-27
 - iv. Parcel number(s): 206000103400

Present: Jason Kolles

Kolles: Same as always no changes.

Oleson: Same conditions are recommended as in the past. No complaints have been received.

Audience: none

Thompson: Everything looks good to me

Smith: Good work

Schultz: I tend to keep an eye on it and things seem to be going good

Taylor: Same

Quiggle: Everything looks good to me.

Taylor made a motion to approve the Interim Use Permit for the operation of a mining pit involving mining, crushing and screening of sand, gravel and rock with the following conditions:

- The applicant shall maintain their NPDES permit with the MPCA.
- Activities shall be limited to screening, crushing & stockpiling. Screening and crushing shall not be conducted on more than 21 days in a calendar year.
- The applicant shall maintain a minimum separation of five feet to groundwater at all times on this site.

- Hours of operation for activities on the site shall not be outside of the hours between 7am and 7pm.
- The contractor shall maintain a bond in sufficient amount to assure reclamation of the site. The bond shall remain in effect until all areas are reclaimed as required by the ordinance or as specifically required by the Township. The minimum amount of the bond must be \$5,000 or \$1,500 per acre, whichever is more.

Smith seconded the motion. Motion approved unanimously.

- b. Variance to construct a 960 sq ft two-story single-family home with full basement, attached 432 sq ft garage and attached 6 ft open deck approximately 24 feet from the top of a bluff (min. 30 ft required), 49.5 feet from the centerline of a township road (min. 65 ft required) and 15 feet from a proposed septic system drainfield (min. 20 ft required).
 - i. Applicant: Robert Hutchinson (Property Owner: Chinmaya Mission Twin Cities)
 - ii. Property address: 6850 Inman Ave NW, Annandale
 - iii. Sec/Twp/Range: 34-121-27
 - iv. Parcel number(s): 206024000110

Present: Bernie Miller, Robert Hutchinson

Hutchinson: I am looking at building a modest single family home on a beautiful lot on a beautiful lake.

Oleson: They are meeting the lake set back, however, there is a bluff on the lot which they need to meet the 30 ft set back, the house is meeting the setback but the deck is not. The road setback they are at 49.5 ft, 65 ft required and they would be 15 feet from the septic drain field, 20ft required. Because this is a substandard lot I asked for a letter regarding the septic type. Based on evaluation it would be type 1 sewer system. Currently has a type 4. Basically the bluff pushes them back and the road pushes them in, therefore the lot does have the room to meet all the requirements.

Schultz: Is there a well on the property now?

Hutchinson: No

Audience - None

Miller: Bernie Miller explained the curve in road and where the platted center line of the road is vs. where the road is actually going.

Schultz: Is the road where it is at because it is traveled that way?

Miller: yes, I am assuming so.

Dearing: There is a drop on the other side of the road.

Miller: We looked at several ideas on where to put the home, there are many trees on the one side of the bluff and we did not want to take those down. No matter how we did the home we could not meet all the setbacks. It is the spot that we feel is right to get the view and not have to take down trees in the bluff area. Would like to have a deck on sona tubes 6ft out. As far as being off the road I am not sure if there is a concern with that, It looks like it is further off the road than it is. Elevation wise there is not much that needs to be done and we talked to Soil and Water and we can get water to run away from the lake. The plan is to do what Soil & Water is recommending.

Taylor: My concern is the water runoff, to make sure it runs away from the lake and the bluff. Could the garage sit back a little further?

Miller Right now it is 24ft from the property line and almost 40 ft from the road so there is plenty of room.

Taylor: Is that the only place you can put the septic?

Miller: We could move it, however, if we move it around the garage would be lower and the water would run to the neighbors and we would have more excavation that would have to be done.

Taylor: How far from the bluff is the well?

Miller: About 10ft and it should be relatively flat for them to drill.

Oleson: Well standards are established by the department of health.

Schultz: I am good with it.

Smith: My concern is to make sure we get the water away from the bluff area. I would like to move the deck back further, however, you are not asking for anything large so I am good with it.

Thompson: I think they have thought of everything and I like it since the plan does not take those big trees out.

Quiggle: John Dearing does the township or have any issues with the road set back?

John: No we are fine.

Quiggle: Just want to make sure they follow the Soil Water management plan and that Ben reviews.

Oleson: Just want to note there is a well to the south, do we know if it is a deep or shallow well yet? Set back is different for each type.

Miller: We know there is a well there and we have had Fobbe Well out to look at the well. However, we are still not sure if it is a deep or shallow well. We have all the reason to believe that this is a deep well, to be sure we would have to pull it and there are concerns with pulling it. So we understand that and we have a game plan if the well is not a deep well.

Thompson made a motion to approve the Variance to construct a 960 sq ft two-story single-family home with full basement, attached 432 sq ft garage and attached 6 ft open deck approximately 24 feet from the top of a bluff, 49.5 feet from the centerline of a township road and 15 feet from a proposed septic system drainfield based on the following conditions:

- 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.
- The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow it flowing over the bluff and into the lake. 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 and maintained indefinitely.

Schultz seconded the motion

Quiggle added that the Wright County Soil and Water Management suggestions be followed. Motion approved unanimously.

- c. Variance to construct an approximate 1376 sq ft 1.5 story single-family home with full basement and attached 2-car garage approximately 60 ft from Clearwater lake (min. 75 ft required).
 - i. Applicant: Steve Scherber
 - ii. Property Address: Not yet assigned – west of 11061 108th Street NW, Annandale.
 - iii. Sec/Twp/Range: 07-121-27
 - iv. Parcel Number(s): Not yet assigned – part of 206034000040 (Lot 6, De-O-Na-Ga-No Point).

Present: Bernie Miller , Steve & Colleen Scherber, Brenda Pilger

Mr. Scherber: We are looking at adjusting the set back from 75 feet to 60 feet, based on a few reasons, one is the topography with the least disruption of soil and trees, fitting the home & septic and water runoff is going away from the lake. Our number one concern is the water quality and we want to make sure we preserve it. In looking at the design we are making sure that the run off is going away from the lake and to keeping as many trees as possible. We want to keep the rural/woody look. There is berm that we are working with a landscaper to make sure we are meeting the requirements needed along the lake. Because the lot is not perpendicular to the lake we rotated the home slightly so that it would be even with the lake and keep the majority of the house back further than 60ft. You can see that if you walk the shoreline the homes tend to be approximately 50 ft from the lake. There is one that is over 100ft.

Oleson: Quick background, this property is along 108th Street, they are long narrow lots and they were originally plotted as three separate lots. They met all the requirements to be sold separately. The only issue is lake set back on the closest spot others are 65 – 70ft away. In terms as building to move it back, it does have the topography to move back and would have some impact on the run off.

Miller: Bernie explained the elevations on the site plan. If we go to 75ft it goes up fairly steep and our driveway would move and force us to have retaining wall and we would have very little room for the septic tanks and would need lots of fill brought in. After done grading, you would basically be grading out a large area and removing all the trees so we moved away from that idea right away. There is at least another 1000 sq ft of area to be graded and more fill brought in. The way we have it right now we are minimizing tree removal & fill.

Audience - None

Schultz: What if you took the garage and put an angle to it, could you move it back then?

Miller: Maybe a little. If we have to side load the garage it would be about 500 yards of fill.

Schultz: I am worried about the movement of the dirt, so if we could move a little without needed all the fill.

Schultz: That is my only point, maybe tilt the garage a little to bring it back some.

Smith: Have you explored other house designs?

Mr. Scherber: We started with a few other designs and found they would not work with the side yard setbacks. When I talked to Bernie we talked about keeping the rural woody look and keep as many trees as possible. So yes we have explored other designs.

Smith: I would like to see it pulled it back some another 10ft would be great.

Thompson: In my mind it is a shame when there is enough room there that we cannot meet the setbacks. I would like to see the setback met, but with what Bernie explained I am not sure what can be done.

Taylor: I agree that I would like to see them meet the setback, my feeling is if we could at least get 5 more feet. I understand the fill and removing trees.

Mr. Scherber: My question to Bernie is could we keep the plans and move it back to 65ft?

Miller: We looked at plans starting at 50ft back all the way to 75ft back. The difference between the 60ft to 65ft we could manage, however, to go to 75 is not doable.

Quiggle: What are the challenges of 70ft?

Miller: It shortens the drive way by 10 feet and it is going to make it harder to get out of there and it is

Quiggle: Did you look at putting the septic on the other side of the road?

Miller: It is steep, I think it is less desirable and has greater risk for problems, not that it can't be done.

Quiggle: So having it where it is more desirable.

Miller: I feel their house designer did a good job of keeping it as close to what we needed as he could.

Quiggle: I think the consensus is that we would like to see new construction meet the ordinance however, there are topographical issues that are involved. Most of us would like to see it move back some the question is how much.

Taylor: I would like to see it at least 5 ft or as much as possible.

Schultz: I agree with Taylor at least 5 ft.

Smith: I can live with the 5ft, I would like the 10, but I can live with 5.

Thompson: I would like to see 15ft, but I guess I will go along with the group if we come with compromise

Quiggle: I am with Smith I would like to see it at 70

Miller: If we go back to 65ft we would be at 75ft on one corner.

Oleson: Current plan 60ft on one side and 70ft at the other end.

Trish: If move back 5 ft, 65ft on one side and the remainder would be 70 & 75ft on the other corner.

Smith made a motion to approve the variance to construct an approximate 1376 sq ft 1.5 story single-family home with full basement and attached 2-car garage approximately 65 ft from Clearwater Lake with the following conditions:

- Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. There 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.
- The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow it flowing over the bluff and into the lake. 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 and maintained indefinitely.

Taylor seconded the motion. Motion passed unanimously.

Taylor made a motion to approve the February 10, 2015 meeting minutes. Smith seconded the motion. Motion carried unanimously.

2. Zoning Administrator's Report

- a. Permits; No discussion
- b. Correspondence
- c. Enforcement Actions: No discussion
- d. Findings of Fact – Previous PC/BOA Decisions

3. Other Business

- a. Snyder/Tart Subdivision Resolution – condition of CUP approval met by other means; Was approved at last meeting
- b. Review of previously granted variance requests (if time allows); No discussion
- c. Camp Courage – Ed Stracke President & CEO

Stracke thanked the board for allowing him to come speak tonight and want to give some information on the camp and goal as an organization which is to help change and transform lives. Ed explained some of the organizations that they currently work with one of which includes the St. Paul schools helping with hearing & speech programs. They have also done environmental programs and disability awareness programs with many schools. They also partnered with the department of education with host the Physical Education Conference each year. Ed explained that based on information shared with him they have been doing activities that may not be part of the organizational group camp ordinance. So the question is does hosting a charter school at camp courage need any additional permitting? They are not adding any additional buildings nor would it have any impact on the shoreland.

Olsen indicated that this has come up after some discussion with Wright County and how we define organization group camp. The question would be is it considered an expansion by hosting a charter school?

The board had discussion as to what the ordinance indicates and what is considered an expansion. The board felt that this should be heard at a public hearing and that they should apply for a Conditional Use Permit.

Oleson: One zoning question; this property has a 6ft deck that comes out and comes around to the side of the house on Cedar Lake. They have taken off the deck to the front and they would like to add the sq. footage to the side of the house. I talked to Wright County Planning and Zoning and they are not too concerned about the deck being too close to the sewer. The received a variance granted several years ago to build the home with the deck, the deck needs to be updated and they would like use the sq. footage on the side rather than the front of the home so they would be further from the lake. The question do they need a variance?

After brief discussion the board feels they need to apply for a variance.

Smith made a motion to adjourn. Quiggle seconded the motion. Motion carried unanimously at 9:16pm.

Prepared by: Jean Just