ALEXANDRIA TOWNSHIP

PLANNING COMMISSION

MEETING PACKET FOR THE
October 24, 2011
REGULAR MEETING

AGENDA
Alexandria Township Planning Commission
October 24, 2011
6:00 p.m. – Township Conference Room

Call to Order

Adopt Agenda

Approve Minutes – September 26, 2011

Public Hearing

1. Ronald and Mary Nelson, Conditional use permit to allow for the placement of approximately 48 cu yds of soil and 18 cu yds of rock rip rap in a shore impact zone.

2. WITHDRAWN - ~~Randall and Patty Boushek, Conditional use permit for the placement of approximately 50 cu yds of soil and a retaining wall in a shore impact zone.~~

3.

Zoning Administrator's Report

New Business:

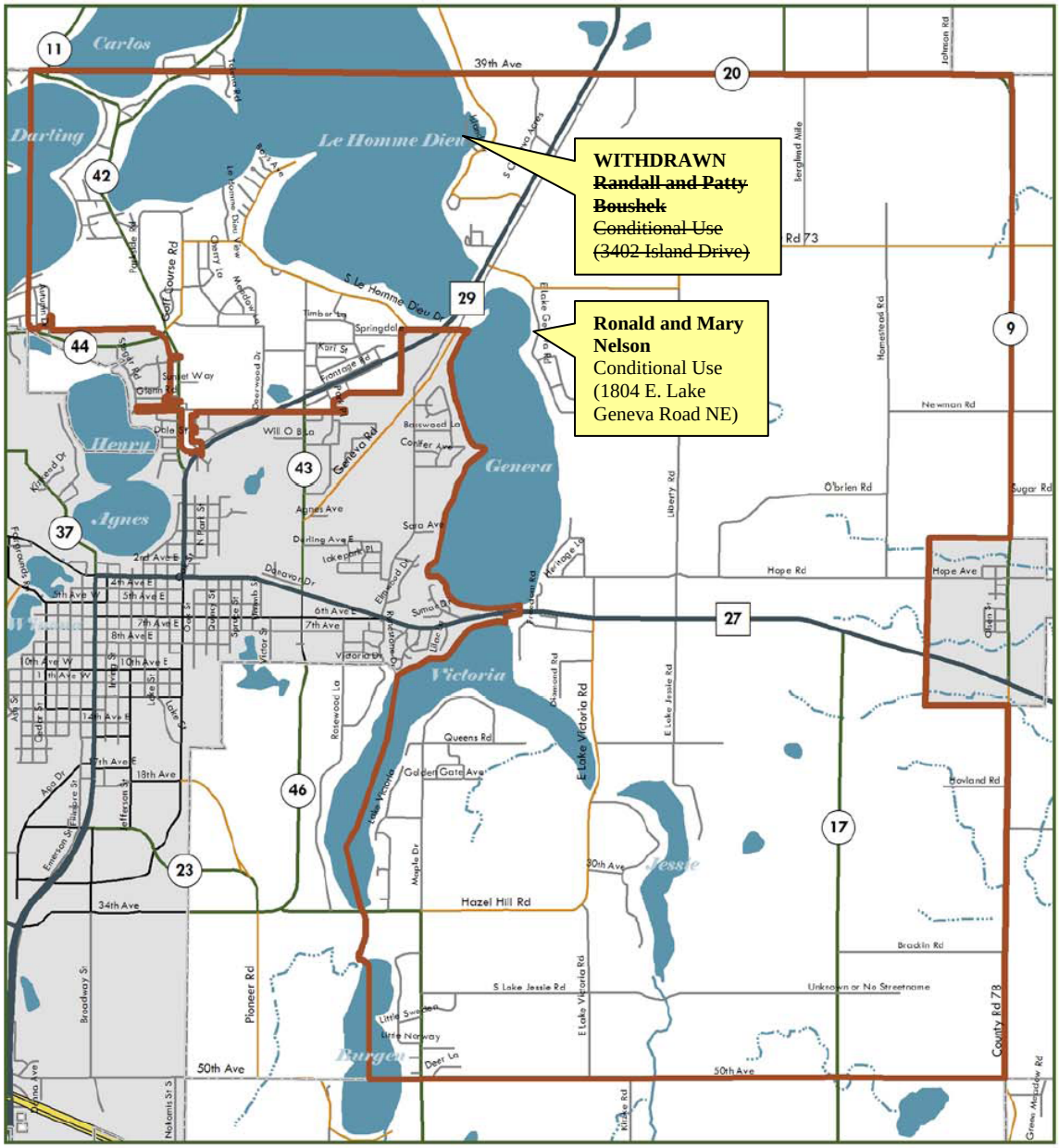
1.
2.
3.

Old Business:

1. Discussion – end-of-year ordinance updates
2. Discussion – Comprehensive Plan update
3. Training Session – Effective enforcement

Adjournment

LOCATION MAP FOR <u>OCTOBER 24, 2011</u> APPLICATIONS
ALEXANDRIA TOWNSHIP PLANNING COMMISSION



Legend

- Interstate Highway
- State Highway
- County State Aid Highway
- Municipal State Aid Road
- County Road
- Township and Municipal Roads

0 0.5 1 Miles

COMMUNITY GROWTH INSTITUTE

Prepared July 2005
Sources: Minnesota Department of Transportation, Minnesota Department of Natural Resources

Application: Conditional use to allow for the placement of approximately 48 cu yds of soil and 18 cu yds of rock rip rap in a shore impact zone.

Applicant: Ronald and Mary Nelson

Agenda Item: 4(a)

Background: The conditional use request is to allow the applicants to address damage to their yard due to high water this past summer. The area adjacent to the shoreline was inundated with water for an extended period and did not grow back grass once the water receded (the area is still fairly wet). The proposed shoreland alteration would be to place approximately 48 cubic yards of black dirt in this area and another 18 cubic yards of rock rip rap along a portion of the shoreline to help protect from wave action. A conditional use permit is required to place more than 10 cubic yards of earthen material in a shore impact zone.

Based on the review of the application, Staff offers the following general comments:

- Section V.S of the Zoning Ordinance identifies features considered to be sensitive within the Township. The Township intends that the data be used to provide additional information to landowners, developers, staff and the Planning Commission so that the sensitive nature of the resources is considered as land is developed and/or altered. Properties where development or alteration is proposed are encouraged to avoid alteration of or impacting sensitive features or to mitigate potential negative impacts on sensitive features as much as is reasonably possible. In reviewing applications where sensitive features may be impacted, the Planning Commission may impose conditions as necessary to protect such features, including requirements to determine exact boundaries, avoidance of sensitive features during development or alteration, or specific practices intended to mitigate potential negative impacts. ***Areas identified as sensitive features are based on the best available data and are general in nature in terms of exact locations and boundaries.*** The site of this proposal identifies the following known sensitive features.

    a. Aquatic Resources: There are no wetlands on the property in the area of the proposed work. The fill area is immediately adjacent to Lake Geneva and the area is listed as having aquatic vegetation in the lake.

    b. Topography: There is a steep slope leading down from the home to the fill area (from topography maps, it does not appear to be a bluff). As of now, the fill area is a shallow depression that holds and infiltrates surface water running down the hill.

    c. Shallow Groundwater: None known.

    d. Upland Habitat: None known.

World • United States • MN • Douglas Co.
Approx. Rip-rap area
Approx. Fill area
25 feet
10 m
© 2011 Microsoft Corporation Pictometry Bird's Eye © 2010 MDA Geospatial Services Inc.
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Douglas County, MN - Map

PIN: 03-1215-000

Taxpayer: NELSON/RONALD G & MARY K
GIS Acres: 1.36
Water Acres: 0.00
ROW Acres: 0.00
Section: 10
Township: 128
Range: 37

Tax Desc.: LOT 1 EX S 10' "NEEWANA BEACH" LOT 5 BLK 1 EX N 10' "BRATRUD'S ADDITION TO NEEWANA BEACH"

Plat Desc.:
Other Interest:

Disclaimer: Douglas County does not warrant or guarantee the accuracy of the data.
The data is meant for reference purposes only and should not be used for official decisions.
If you have questions regarding the data presented in this map, please contact the Douglas County GIS Department.

Map created on Oct 19, 2011 1:44. This information is to be used for reference purposes only.
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Planning Commission Direction: The Planning Commission can approve the request, deny the request, or table the request if additional information is needed. If the decision is for approval or denial, findings of fact should be cited.

Staff Recommendation: Based on this and the findings of fact presented in this report, Staff recommends this application be approved, with consideration given to the following conditions:

1. The applicant shall maintain a "depression" between the bottom of the hill and the shoreline so that surface water runoff has a place to infiltrate and/or settle out sediment and pollutants prior to entering Lake Geneva.
2. Temporary erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum wood fiber blanket or an equivalent material that will help prevent soil erosion and sedimentation until vegetation can be properly established in Spring 2012.

Applicable Statutes/ Ordinances: This application is subject to the criteria applicable to all Subdivision regulations listed at the beginning of this staff report. It is also subject to the requirements of Section V.

The application is also subject to requirements within Section V.L.2, as follows:

2. Alterations Within The Shoreland.

(7.) A conditional use permit shall be required for:

(a.) The movement of more than ten (10) cubic yards of material on a steep slope or within a shore or bluff impact zone.

(b.) The movement of more than fifty (50) cubic yards of material located outside of steep slopes and shore and/or bluff impact zones, if the Zoning Administrator determines that the potential for erosion exists.

(c.) Any alteration with erosion potential, as determined by the Zoning Administrator.

(9.) Application for a conditional use permit as required by Section L. 7. above shall be accompanied by a fee designated by the appropriate fee schedule, shall be on a form prescribed by the Zoning Administrator and shall include an erosion control plan as specified in Section V.L.2.a.(10.) of this Ordinance.

(10.) An erosion control plan shall include at least the following:

(a.) A location map drawn to a scale of not less than two hundred (200) feet to one inch showing the relationship of the site to its general surroundings.

(b.) A plan of the site drawn to an appropriate scale showing:

i. The boundary lines of the site on which the work is to be performed, including the approximate acreage of the site.

ii. Existing topography including, but not limited to, existing streams, water bodies, wetlands, structures, road and vegetative cover of the site and on land adjacent to the site.

iii. Existing contours with intervals of not more than ten (10) feet where the slope is twenty percent (20%) or greater, and not more than five (5) feet where the slope is from ten percent (10%) to twenty percent (20%) and not more than two (2) feet where the slope is less than ten percent (10%). In any event, the drainage pattern will be indicated.

iv. Proposed improvements of the site, including present development and future use, if known, proposed changes to the land surface and vegetative cover, and areas of cuts and fills.

v. A stormwater removal system, including culverts, piping, ditches, sediment basins, diversions, or other devices, any non-vegetative protection or support including paving, rip-rap, walls or other structures or surfaces, any vegetative measures in connection with, or as part of, the proposed work.

vi. Title, scale, north arrow, date and name of person preparing the plan.

vii. A timing schedule and sequence of operations, stating the expected starting and completion dates of the development sequence.

viii. The estimated time of exposure of each area prior to the completion of effective erosion and sedimentation control measures and other related data such as seeding mixtures and rates, types of sod, seed bed preparation, lime and fertilizer application and mulching.

ix. A general description of the predominant soil types on the site.

Staff Findings: We propose the following findings for consideration by the Planning Commission:

1. **The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area:**

   Yes. The proposal is to bring in fill along lakeshore, which will have no impact on public facilities.

2. **The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land:**

   Not applicable. The use of the property will remain the same – residential. The proposed shoreland alteration should help to improve property values generally in the area by maintaining vegetative cover on near-shore areas - provided it is designed and implemented correctly.

3. **The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties:**

   Yes. The appearance of the lot would not be a detriment as a result of the proposed work as it is intended to improve the appearance of the near-shore yard area, prevent erosion and allow surface water runoff to infiltrate before entering the lake.

4. **The use in the opinion of the Town Board is reasonably related to the overall needs of the Township and to the existing land use:**

   Yes. The interest of the Township (i.e. the public) in this case is to maintain properties in an attractive condition, prevent soil erosion into area lakes and promote infiltration of water prior to entering area lakes.

5. **The use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to located the proposed use:**

   Yes. A shoreland alteration intending to address a potential erosion problem and maintain the appearance of a lakeshore property is consistent with various requirements of the ordinance to prevent such erosion problems in the first place – particularly in Shoreland Residential areas, such as how this property is zoned.

   The area of the proposed development has been zoned as "Shoreland Residential." The purpose of this district is:

   > "To protect and regulate the use and development of the shorelands of public waters and thus preserve and enhance the quality of surface waters, conserve the natural environmental values of shorelands, and provide for the wise use of waters and related land resources."

6. **The use is in conformance with the Comprehensive Plan of the Township:**

   Yes. The comprehensive plan identifies the area of the proposed

development in the Future Land Use Map as Urban Residential:

> Urban Residential: The purpose of this land use category is to provide opportunities for urban density housing in areas that are most readily served by urban infrastructure and services. This category is intended for areas that are currently served by Alexandria Area Sanitary Sewer District (ALASD) infrastructure or are within the identified future service area of ALASD. Within these areas, new residential development will be reviewed to ensure that the proposed density, dimensions, and layout of lots will allow for the efficient use of public infrastructure and the cost-effective provision of public services. A gross urban density of two to three dwelling units per acre or higher is intended for these areas. Proposed subdivisions that would create oversized lots would be reviewed to allow for a transition to urban densities of housing in an orderly and efficient manner. This may be accomplished through ghost platting, conservation subdivision designs that cluster homes on urban-sized lots, provision of urban sewer or road infrastructure at the time of development, or by other appropriate means.
>
> Typical "lot-block" or "conservation" subdivision designs are both considered appropriate in these areas. Where sensitive or unique natural or cultural resources, such as wetlands, shoreland, etc. are present, a conservation subdivision design with lower densities that protects these resources may be required. Long-term commercial/Light Industrial uses that are incompatible with residential uses should not be allowed in this district (*Alexandria Township Comprehensive Plan, p. 22).*

7. **The use will not create a traffic hazard or congestion:**

   Yes. The proposed work will not create road congestion or hazard beyond what is required to bring excavation equipment on-site during the work. No additional traffic would be generated as the work does not involve the construction of new structures or an increased intensity of use on the lot.

8. **Shoreland Specific Criteria:**

   a. Prevention of Soil Erosion/Pollution: The proposed fill would be about 6 inches in depth and would maintain the fill area as somewhat of a natural "depression" where surface water runoff running down the hill will have a chance to infiltrate and/or settle out any pollutants or sediment before entering the lake.

   b. Limited Visibility of structures from public waters: As there are no structures being constructed as a result of this project, there would be no change to the visibility of structures on the lot from Lake Geneva.

   c. Adequate Water Supply/Sewage Treatment: These properties are already served by a private well and ALASD sewer.

   d. Watercraft Impact on Public Safety: The proposed work will have no impact on watercraft use of the lake. It would not create a significant intensity of use on the lot or lake beyond what is already occurring.

Application # 2011-0106	Date Application Rec'd 10/12/11	Fee Collected $ 300.00

(for office use only)

ALEXANDRIA TOWNSHIP
CONDITIONAL USE APPLICATION

Name of Applicant RONALD G. NELSON Phone 320-763-6253

Property Address (E911#) 1804 E. LAKE GENEVA ROAD ALEXANDRIA

Mailing Address 1110 DODD RD MENDOTA HEIGHTS, MN. 55118 Local Phone 651-456-9022
(*if different than above*) (*if different than above*)

City, State, Zip MENDOTA HEIGHTS MN 55118

Applicant is:
Legal Owner (X)
Contract Buyer ( )
Option Holder ( )
Agent ( )
Other _____

Title Holder of Property :*(if other than applicant)*
_____
(Name)
_____
(Address)
_____
(City, State, Zip)

Signature of Legal Owner, authorizing application (required): Ronald G Nelson
(By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): _____
(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Property ID # (9 digit # on Tax Statement) 03-1215-000

Full legal description of property involved in this request, including total acreage (required – attach separate sheet if necessary):
SECT-10 TWP-128 RANG-37 LOT 1 EX S 10' NEEWANA BEACH LOT 5 BLK 1 EX N 10' BRATRUD'S ADDITION TO NEEWANA BEACH

Zoning District _____, Lake Name (if applicable) GENEVA

What are you proposing for the property? State nature of request in detail:
Due to high water from summer rains, the proposed project is to install rip and restore lawn with black dirt and seed

What changes (if any) are you proposing to make to this site?

Building: NONE

Landscaping: RIP RAP AND RESTORE LAWN

Parking/Signs: NONE

Pursuant to the Alexandria Township Zoning Ordinance, Section VI.G.1, the applicant should be prepared at the public hearing to discuss the following issues by explaining how the proposed Conditional Use will cause no significant adverse effects.

Please complete all of the following questions to the best of your ability (some questions may not apply, depending on the nature of your request):

1. Describe the impact of the proposed use on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area. If there is no impact, explain why.

Not Applicable

2. Describe the impact of the proposed use on adjacent agricultural or residentially zoned or used land. Describe how the use will be sufficiently compatible or separated by distance or screening so that existing homes will not be depreciated in value and so that there will be no deterrence to development of vacant land. If there is no impact, explain why.

No impact as lawn will be restored and rip rap added to prevent erosion

3. Describe whether the structure and site will have an appearance that would have an adverse effect upon adjacent residential properties. If there is no impact, explain why.

Not Applicable

4. Describe how the proposed use will be reasonably related to the overall needs of the Township and to the existing land use.

Not Applicable

5. Describe how the proposed use will be consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the use would be located.

Not Applicable

6. Discuss how the proposed use will be in conformance with the Comprehensive Plan of the Township.

Not Applicable

7. Discuss whether the proposed use will create a traffic hazard or congestion. If there is no impact, explain why.

Not Applicable

If in Shoreland Areas, please complete all of the following questions:

1. Describe how soil erosion or other possible pollution of public waters will be prevented, both during and after construction.

Rip Rap will help prevent erosion

2. Describe how the visibility of structures and other facilities as viewed from public waters will be limited.

Not Applicable

3. Discuss whether the site is adequate for water supply and on-site sewage treatment. Describe why.

Not Applicable

4. Discuss whether the types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft. Explain why.

Not Applicable

Application #	Date Application Rec'd	Fee Co d $
2011-0105	10/12/2011	150.00

(for office use only)

APPLICATION FOR SHORELAND ALTERATION PERMIT
ALEXANDRIA TOWNSHIP, MINNESOTA
ALEXANDRIA, MN 56308 - PHONE: (320) 759-5300

Date October 6 2011 Parcel No. 03-1215-000

Legal Description Sect 10 TWP 128 RANGE 37 LOT 1 EX S 10' NEEWANA BEACH LOT 5 BLK 1 EX N 10' BRATRUD'S ADDITION TO NEEWANA BEACH

Lake | Zoning District | Section | Township ALEXANDRIA

Owner

Last Name NELSON First RONALD Initial G

Address 1804 E. LAKE GENEVA RD NE Phone: 320-763-6253

Excavating/Landscaping Contractor License #____

Name TIM FERGUSON Telephone 320-762-0622

Address 2050 COUNTY ROAD 82 NW ALEXANDRIA MN

Project Purpose

( ) SAND BEACH
( ) PATIO
(X) RIP RAP
( ) STEPS
( ) RETAINING WALLS
(X) OTHER (SPECIFY)
Restore lawn after high water from summer rains

PLAN SUBMITTED:____

CONDITIONAL USE #

Project Scope

CLOSEST DISTANCE TO ORDINARY HIGH WATER:

AREA OF DISTURBED GROUND (LENGTH X WIDTH): Approx 190' x 20'

VOLUME OF FILL IN CUBIC YARDS: Approx. 48 yards

AVERAGE SLOPE OF WORK AREA :
(FEET OF RISE FOR EACH TEN (10) FEET OF HORIZONTAL DISTANCE)

PROJECT START DATE: To Be Determined

***NOTE:** Permit processing time will take a minimum of five (5) working days. Project work cannot begin before permit is issued. Work started before a permit is issued will incur after-the-fact fines and/or restoration.*

COMPLETION DATE: To Be Determined

NOTICE: RETAINING WALLS NOT TO EXCEED 3' WITHOUT CONDITIONAL USE PERMIT. ALL WORK TO BE A MINIMUM OF 1' ABOVE ORDINARY HIGH WATER.

TYPE OF EROSION CONTROL PROPOSED:

( ) SOD	( ) STRAW BALE CHECKS	( ) SEED ONLY	(X) SEED & MULCH
( ) MULCH ONLY	( ) FIBER BLANKET	( ) GEOTEXTILE	( ) OTHER (SPECIFY)

FEE: (non-refundable) Minor $75.00 (Standard $150.00) Major $300.00

AGREEMENT: I hereby certify with my signature that all data on my application forms, plans and specifications are true and correct to the best of my knowledge.

Dated 10/6/11 Signature of Owner or Contractor Ronald G Nelson

PERMIT: Permission is hereby granted to the above named applicant to perform the work described in the above statement. This permit is granted upon express condition that the person to whom it is granted, and his agents, employees, and workmen shall conform in all respects to the ordinance of Alexandria Township, Minnesota.
NOTE: PERMIT IS VOID IF WORK IS NOT COMPLETED WITHIN TWELVE (12) MONTHS.

Issue Date____ Zoning Administrator:____

COMMENTS:

SEWER____ PROPERTY ADDRESS____

- SEE REVERSE FOR GENERAL AND SPECIAL PROVISIONS -

Our promise to you is that we will:

1. Without prejudice, reflect the vision of the community as represented in the community's planning documents.
2. Respect the will of the community as enacted in land use policies and regulations.
3. Serve the elected and appointed officials of the community, understanding they are the decision-makers elected by the people they represent.
4. Always seek the truth through an exchange of ideas that is open, honest and without bias.
5. Continually improve community access to planning information and processes.
6. Provide service that is friendly, responsive and professional.

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Experts in Small Town Planning