

CORINNA TOWNSHIP BOARD MEETING MINUTES

Unofficial Minutes

Tuesday, February 2, 2010, 7 p.m.

Corinna Township Hall

9801 Ireland Avenue NW, Annandale, MN

Present: Chairman Richard Naaktgeboren; Vice-Chairman Chuck Carlson, Supervisor John Dearing; Clerk/Treasurer Mary Brown; Deputy Clerk/Treasurer Jennifer Kemp

Call to order and Pledge of Allegiance at 7 p.m.

Jan. 19, 2010 Town Board Meeting Minutes: Motion by Dearing, seconded by Naaktgeboren, to approve the Jan. 19, 2010 Town Board Meeting Minutes. Motion carried.

Agenda for the February 2, 2010 Town Board Meeting: Motion by Naaktgeboren, seconded by Carlson, to approve the agenda for the February 2, 2010 Town Board Meeting with the following additions: P and Z Administrator's Report Feb. 1, 2010; Notes From Maintenance Men Re: Kramer AV, Health Insurance Increase, Phone; Dangerous Dog Ordinance; Quarterly Recycling Report; MN Dept. of Health Letters Accepting Projects. Motion carried.

P and Z Administrator's Report (Ben Oleson) Feb. 1, 2010: Reviewed.

Public Hearing:

Conditional Use Permit to operate a sign business out of an attached accessory building.

Applicant: Wade A. Thomson. Property address: 9050 Kimball Ave NW, Annandale.

Sec/Twp/Range: 17-121-027. Parcel number(s): 206030001120.

- Zoning:** Urban/Rural Transitional (R1) /Residential Recreation Shorelands (S-2) Overlay District, Clearwater Lake.
- Lot size:** About 1.26 acres
- Septic System Status:** County staff has indicated that the system was installed in 1989 and found compliant in 2003. This particular application however, does not require a sewer compliance inspection.
- Proposal:** The applicant is proposing to move his existing sign business to his home property. The operation of the business, according to the applicant, involves designing signs on computers and then printing the signs on to outdoor vinyl and banner signs.

The applicant has stated there would be no outdoor storage of any materials or equipment and that the printing of the signs does not generate any odors, significant noises, dust, vibration or other potential nuisances. All printing of signs is water-based and no hazardous wastes are generated. The applicant has also stated that they have very few "walk-in" customers, only a few deliveries via UPS/Speedy trucks and do all of their installation work off-site. The company is operated by Mr. Thomson and his brother; there are no employees beyond these two individuals.

The business equipment (appears to only be a computer, a large printer, and likely the storage of ink and vinyl sign material) would be located within the home/attached garage. The applicant has stated that there would be no exterior evidence of the business and the detached garage would be used only for the storage and parking of personal vehicles and equipment.

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**Corinna Board of Adjustment/Planning Commission Recommendation:** Based on the findings of fact presented in this report, the Board of Adjustment/Planning Commission recommended this application be approved with the following conditions:

1. Storage of business related equipment, inventory and supplies shall be limited to the interior of the home or attached garage only. No such materials may be stored outdoors or in a detached accessory building.
2. The business shall not make use of hazardous materials or create hazardous wastes.
3. There shall be no signage anywhere on the property indicating the presence of a business except on the mailbox. Such lettering shall not extend out from the top or bottom of the mailbox more than three (3) inches.
4. The applicant must maintain an adequate turnaround on the property (as currently exist) so that delivery vehicles do not need to back out into the public road or drive toward the cul-de-sac of Kimball Avenue.
5. Deliveries of business-related equipment or supplies to the property shall be between the hours of 8am and 7pm only and shall only be by passenger vehicles or delivery vans typically present in residential neighborhoods. Any deliveries by larger vehicles must be to an off-site location as the applicant has indicated would occur.
6. The number of delivery vehicles to the property shall not exceed two (2) in any one day or six (6) in any given week.

The Corinna Planning Commission vote to recommend approval was unanimous.

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**Corinna Planning Commission Findings:** The following findings of fact were approved by the Planning Commission:

- 1) Will the Conditional use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the immediate vicinity?**
  - a) **No, with appropriate conditions.** The proposed business, as described, should have no significant exterior evidence of its presence on the property as it is proposed. Provided all materials are stored inside the home/attached garage, there are no advertising signs indicating the presence of the business, and there are no nuisance characteristics associated with the business, it should have no impact on the neighborhood beyond what a typical residence might have. The greatest potential for impact on the neighborhood would appear to be a potential for frequent delivery vehicles, which would depend on the number of times the business makes orders and how much storage capacity it would have.
- 2) Will the establishment of the Conditional Use impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area?**
  - a) **No.** There are only a few vacant lots remaining in the immediate neighborhood. Provided that the business maintains a low profile and does not generate any nuisances or significant increases in traffic, the ability of vacant lot owners in the area to use those lots for residential purposes should not be hindered.
- 3) Do adequate utilities, access roads, drainage and other necessary facilities exist or will they be provided?**
  - a) **Yes.** The parcel is served by a paved road and the proposed use would not be expected to change drainage patterns at all. The lot is served by private sewer and water.
- 4) Have adequate measures been taken to provide sufficient off-street parking and loading space to serve the proposed use?**

- a) **Yes.** The property has a driveway that is approximately 18 ft wide by 85 feet long. There is also additional parking area leading to a detached garage that is approximately 15 ft wide by 85 feet long. A “T” turnaround is also present on the site. These areas should be more than sufficient to accommodate the extra vehicle on the site from the applicants business partner and the temporary need for space to unload delivery vehicles. The turnaround should ensure that delivery vehicles do not need to back out onto the public road.

**5) Will the use conflict with the Policies Plan of Corinna Township and/or Wright County?**

- a) **No.** Neither the Corinna Township or Wright County Comprehensive Plans directly address “home occupations” in their plans and there are no goal or policy statements that directly address any potential conflict issues regarding home occupations within residential areas. General statements from both the Township and County Plans that have some indirect relation to the application are as follows:

RELEVANT STATEMENTS FROM THE  
CORINNA TOWNSHIP COMPREHENSIVE PLAN

The Future Land Use Plan for the Township identifies this property as “Neighborhood Residential”. The purpose of this district is described as follows:

**Neighborhood Residential:** A designation for residential properties already subdivided into lots too small to further subdivide. The properties may or may not have structures on them, but are sized so that additional subdivision would not be feasible.

The Township Plan does not address “home occupations” directly, but includes the following statements about development and supporting local businesses, respectively:

*Goal: Work to ensure orderly and predictable development within the Township, particularly at the developing urban fringe of nearby cities.*

- Encourage or require development to take place in areas that can be served primarily by existing roads and other infrastructure so as to reduce the cost of providing and maintaining this infrastructure.

*Goal: Strengthen Corinna Township’s economy by supporting local business and light industry, encouraging the attraction of quality jobs to the area, and encouraging new commercial/industrial investment, where appropriate.*

To achieve this goal, the following strategies should be implemented:

- Identify appropriate areas for commercial and industrial uses, such as adjacent to major roadways and intersections, so as to minimize conflicts with surrounding uses, protect investments in land and buildings, and allow for orderly expansion of commercial/light-industrial uses in the future.
- Seek to enhance regional economic development efforts by supporting areawide efforts to retain, expand and attract commercial uses that complement existing businesses in the area and promote further economic development within the surrounding area.
- Plan to require gradual transition or sufficient barriers between commercial development and residential development so as to avoid un-necessary conflict and maintain property values for both business and residential properties.

RELEVANT STATEMENTS FROM THE  
WRIGHT COUNTY COMPREHENSIVE PLAN

The Future Land Use Plan for the County identifies this property as “Residential”. The purpose of this district is described as follows:

**Residential:** Designates existing residential areas that are already characterized by relatively small lots (for unsewered areas) and those limited undeveloped areas deemed appropriate for conversion to similar use. Most areas currently exist as a result of lakeshore development prior to any zoning or environmental regulation, and other isolated areas exist that developed with small lots historically. In general, due to the environmental and health impacts of developing areas with small lots and on-site sewage treatment, such development will be discouraged. However, in certain limited cases, such as riparian lots on general development and recreation development lakes, or “infill” in areas that are surrounded by similar development, some expansion of residential areas can be allowed. Rezoning from Agricultural to residential districts will generally be considered appropriate in this district, depending on environmental factors. Rezoning to R-1 will only be considered for riparian lakeshore lots, or as “infill” where most surrounding land is already zoned R-1. Multi-family structures are not allowed in areas without municipal sewer and water services.

The County Plan also does not address “home occupations” directly, but includes the following statements about development in the rural areas<sup>1</sup> of which this property is part:

**4.3 Specific Areas Goals and Policies, Rural Area Service and Development Policies**

**Rural Area Policy 4: Service and Development Standards (p. 70, Wright County Northwest Quadrant Land Use Plan, 2009)**

The following standards are intended to ensure that land uses in the unincorporated areas of the NWQ are compatible with a rural area and the level of services available in that area.

- Proposals must be thoroughly reviewed in cases where the approval of a change in land use would raise traffic on a rural road substantially above its capacity. Also, individual land uses that will generate high levels of traffic and/or heavy vehicle traffic should be required to participate in the upgrading of facilities.

**6) Have adequate measures been taken, or will they be taken, to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result?**

- a) **Yes.** The project would not be expected to create any long-term nuisances as described by the applicant. By the nature of business, there is always the opportunity for changes in business practices or the volume of work that could raise the potential for nuisance characteristics over time. With appropriate conditions however, any significant changes in practices or volume would require a revision to the Conditional use permit and the Township could determine they are not allowed.

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<sup>1</sup> The County Plan identifies three separate “policy areas” within the NW Quadrant: Rural, Cities and Transition Areas. This property is technically considered to be part of the Rural area in the County plan, although the policies outlined in the Plan relate more to areas currently zoned AG and AR than to areas zoned R1, R2 or R2a (this property is zoned R1). The particular policy referenced here is given because it relates to the need to consider the impact of traffic as a result of the proposed business on the existing road infrastructure.

**7) Are there any other conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area or the community as a whole?**

- a) The primary concern with home occupations is typically the need to ensure that it does not create significant nuisance characteristics or traffic impacts beyond what would be typically expected in the surrounding neighborhood. Along these lines, Staff would suggest the following as general restrictions necessary to ensure that the home occupation is operated in a way that will not pose a problem for the neighborhood:
- i) There should be no outdoor storage of business related equipment, inventory or supplies.
  - ii) That there should be no storage of business related equipment, inventory or supplies in any building except the home and attached garage.
  - iii) There should be no hazardous materials or nuisance characteristics associated with the use (noise, dust, vibration, odor, etc... beyond what is typically associated with residential areas)
  - iv) There should be no signage on the property indicating the presence of a business on the property except small lettering on the mailbox indicating the business name.
  - v) The applicant should maintain a clear turnaround area on their property so that vehicles delivering supplies to the property do not need to back out into the public road.
  - vi) The delivery of equipment and supplies to the property should be during daytime hours only (between 8am and 7pm).
  - vii) The delivery of equipment or supplies to the property should be by automobiles, small trucks or delivery vans only. Any deliveries by larger vehicles must be to an appropriate off-site location, as the applicant has indicated will occur.
  - viii) The number of delivery vehicles to the property should not be excessive (suggestion: no more than two in any one day or six in any given week).

Motion by Carlson, seconded by Dearing to approve a CUP for Wade A. Thompson based on the conditions and findings of fact listed. Motion carried.

Amendments to the Following Sections of the Corinna Township Land Use and Subdivision Ordinances:  
Zoning - Sections III (Adoption of Wright County Ordinance), VI (Non-Conforming Uses), VIII (Planning Commission), X (Permits and Fees), XII (Sign Regulations), XIII (Mining and Extraction); Subdivision - Section 1.4 (Fees).

All interested persons are invited to attend this hearing and be heard or send written comments to the Township. Application information and a staff report, including a summary of the proposed ordinance changes, are available for viewing at [www.corinnaplanning.info](http://www.corinnaplanning.info) (staff report typically one week prior to the hearing date). No one was present from the public with comments regarding the proposed changes to the ordinances. The Public Hearing on these proposed Ordinance changes will continue to the Feb. 25, 2010 Planning and Zoning meeting at 7:00 PM, Corinna Township Hall.

Maintenance Men: Were not present at meeting, due to plowing since very early in the morning. Board would like Mark Miller to get road striping quotes. They would like Mark Miller to provide a record of when each Township road was blacktopped, overlaid, sealcoated and striped. Deputy Clerk Kemp is to compile information in a spreadsheet. Mark Miller should get Kramer Avenue records dating back to 1999. The Maintenance Men should change the air filter in the Town Hall once a month in front, and once every 6 months in the back unit. The cost of the Maintenance Men's health insurance increased

\$55 per month each as of March 1, 2010. Maintenance cell phone records were reviewed. Mark Miller is to inspect roads and give opinion to Town Board. All purchases must be accompanied by a Corinna purchase order signed by Clerk, Deputy Clerk or Town Board Member. All purchases over \$500 need pre-approval from Town Board. All rentals need permission from Town Board, except in the case of an emergency.

Requests to be on the Agenda: None.

Other Business:

Planning Commission: Charlotte Quiggle, Chairman was not in attendance.

Next Corinna Planning Commission Meeting: February 25, 2010, 7 p.m., Town Hall

Notice of Public Hearing: On Thursday, March 11, 2010 the Wright County Planning Commission will consider amendments to the Wright County Zoning Ordinance 716. Sewage Disposal Standards

Stop Work Order: Town Board would like a formal letter from Metro West regarding their opinion on timeline set forth in Jamie Jankord Letter to Corinna Township and Wright Co. P and Z. Board asked Clerk Brown to resume junk violation process on Jankord property.

Balogh Pretrial Hearing Continued to March 23, 1:30 PM: Chuck Carlson will attend hearing if he is available.

Local Board of Appeal and Equalization Meeting: Tuesday, April 27, 3:00 p.m. at the Corinna Town Hall.

Yearly Audit Progress: Clerk Brown noted that all documents requested by the auditor had been sent.

3M Sign Grant: Brown reported that Wayne Fingalson, Wright County Highway Dept. called and said that Wright County has been accepted into the Sign Pilot Program Grant. A letter with details is to follow. Our 3M Sign Grant deadline was extended to March 1, 2010.

Corinna Permits Issued in January 2010: 2 permits approved; 3 permits pending; one CUP pending.

Town Hall Building Use Feb, 2010: Reviewed.

MN Association of Townships Spring Short Course: Monday, 3/22 St. Cloud.

2011 Budget Planning: Board reviewed line items from 2009 and 2010 budget in preparation for 2011 budget.

Corinna Taxable Market Value: Greg Kramber's office reported that Corinna Township's Taxable Market Value for 2010 is estimated at \$578,932,400.00.

Dangerous Dog Ordinance: On Jan. 19, 2010, the Wright County Board of Commissioners adopted the Dangerous and Potentially Dangerous Dogs in Wright County Ordinance. The Ordinance is county-wide in jurisdiction, but any town may opt out if it has a Dangerous Dog Ordinance of its own and has declared itself to be the animal control authority for dangerous dogs found within its boundaries. The effective date is March 1, 2010. Corinna Township does not wish to opt out of the Ordinance.

Quarterly Recycling Report: Reviewed.

MN Dept. of Health Letters Accepting Projects, etc.: Reviewed.

Payment of Claims: Motion by Dearing, seconded by Naaktgeboren to approve Direct Deposit Payroll Checks # 126 through #129; EFT 2010-09 through EFT2010-11, Checks # 15563 through Check # 15576, in the amount of \$20,081.92. Motion carried.

With no further business to come before the board, a motion was made by Naaktgeboren, seconded by Dearing to adjourn the meeting. Motion carried. The meeting adjourned at 9:52 p.m.

Respectfully submitted,

Approved February 16, 2010

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Mary B. Brown, Clerk/Treasurer

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Richard Naaktgeboren, Chairman