

**MINUTES**  
**MONTHLY ORONOCO TOWN BOARD MEETING**  
**MAY 2, 2016**

The Pledge of Allegiance was recited.

The monthly Oronoco Town Board Meeting was called to order on May 2, 2016 at 7:00 pm by Chairman Mark Thein. Supervisors Neil Stolp, Richard Lyke and treasurer, Kim Stanton were present.

Neil Stolp made a motion to approve the April 4, 2016 minutes, Richard Lyke seconded. Motion carried.

The order of agenda was accepted as presented.

The Treasurer's report in written form showed the year to date "Statement of Receipts, Disbursements and Balances" as of April 30, 2016: Receipts \$36,926.75 and Disbursements \$164,661.69 with an ending balance of \$305,852.92. Mark Thein made a motion to approve the treasurer's report. Richard Lyke seconded, motion carried.

Richard Lyke reported that the scheduled OPAC meeting for April 18 was canceled. Oronoco Township #OR2015-001ZC will be continued at the May 16 meeting.

First Responders reported three township runs.

The bills were presented for payment, a total \$109,681.10. This included \$38,150.07 for rock in preparation of chloride scheduled for May 9-10. Mark Thein made a motion to approve the May bills. Richard Lyke seconded, motion carried.

**OLD BUSINESS: Sheila Craig-Cedar Beach Project**

- Quotes have been received by Wenck & Associates for Cedar Beach Wastewater Systems Operations and Maintenance from Natural Systems Utilities, Gopher Septic Service and Septic Check. After review of the proposals and discussion, Mark Thein made a motion to award Gopher Septic Service, pending upcoming construction, the contract. Neil Stolp seconded, motion carried 3-0. Sheila will notify the necessary parties of the decision. She will work with Wenck and Gopher on the contract.
- Sheila has received quotes for bond counsel from Kennedy & Graven (Martha \$4,000.00), Ippel Biggs (Mary Ippel \$2,500.00), Fryberger (Mary Francis Skala \$2,500.00) and Ohnstad Law (John Shockley \$1,800.00). After review and discussion, Mark Thein made a motion to use Ohnstad Law. Neil Stolp seconded, motion carried 3-0.
- Troy Gilchrist with Kennedy-Graven, had a few items that needed clarification. The board gave Sheila approval to work with Troy on any items that need his expertise. The board decided to hold Joe Guzinski's property check until closing.

- The Lund property is the only one left to sign the easement. Sheila is working with them and should have it done soon.

**NEW BUSINESS:**

**Oronoco Township #OR2015-00ZC:** re-tabled until the June meeting.

**Oronoco Township Variance request #OR2016-001VAR:** *By Thomas Demarino Jr. to allow an accessory building to be built prior to a primary residence in the R-1 (Low Density Residential) District. The property is located at the corner of Tennis Lane NW, 4<sup>th</sup> Avenue NW, 105 Street NW, Oronoco Township.*

Mark Thein made a motion to open the public hearing, Neil Stolp seconded, motion carried. Tom Demarino explained his situation to the board and Kristi Gross, Olmsted County planner, reviewed her analysis and findings. The applicant is requesting two variances: 1) A variance of 516 square feet to 2016 square feet from the maximum of 1500 square feet for accessory structures within the T-1 Zoning District. 2) A variance to allow the construction of an accessory building on a lot prior to the construction of the principal building.

**Neighbors:** *Nolan Waldron*-has no problem with building the shed before the house. Tom keeps the property clean. *Ryan Booth*-Tom is generous with his time and equipment and should have a building to store his equipment. *Brandon Day*-supports what both Ryan and Nolan said. Mark asked three more time for comments for or against and made a motion to close the public hearing. Neil Stolp seconded, motion carried. After discussion, Mark Thein made a motion to approve the two variances based on staff findings with the two suggested conditions:

- 1) A building permit/zoning certificate must be issued for the building prior to construction of the structure.
- 2) Building uses must consist only of personal uses related to this property. (No commercial)

Neil Stolp seconded, motion carried 3-0.

Staff findings:

**EXCEPTIONAL CIRCUMSTANCES:** There does appear to be exceptional or extraordinary circumstances that would apply to this parcel of property that would not apply generally to other property in the same zoning district or vicinity. The property consists of 10 acres and is split zoned. Half of the property is a field, and the other half a hillside. The property owner's current dwelling is located across 4th Ave NW from the proposed garage location. The property owner's current property does not have sufficient area to support the building and currently contains a detached accessory building. The building would meet zoning requirements if built on the A-3 zoned part of the parcel, except the topography of the land is a limiting factor in sitting it in that location.

**PRESERVATION OF PROPERTY RIGHTS:** The granting of this variance request does not appear to be necessary to preserve the applicant's property right to use his property. The property currently has cropland and woodland on it and the applicant is able to utilize the

property for continued agricultural uses. However the proposed building would allow the storage of machinery used for agricultural purposes.

**ABSENCE OF DETRIMENT:** The granting of this variance request would not appear to be of substantial detriment to the adjacent property owners. The request should not have any detrimental effects on the adjacent property owners. The granting of this variance request would not be detrimental to the Oronoco Township Zoning Ordinance.

**GENERAL NATURE:** This variance request would not appear to be general or recurrent in nature to require an amendment to the zoning ordinance. The lot characteristics, property being split by two zoning districts make the request unique to this parcel of land and would not appear to be general or recurrent.

**MINIMUM VARIANCE:** The minimum variance that would be necessary to alleviate the alleged hardship would be a variance of 516 square feet to 2016 square feet from the maximum 1500 square feet for accessory structures within the R-1 (Low Density Residential) Zoning District and to allow the building to be built prior to the building of a residence.

James Johnson with Bargaen, Inc., submitted pricing on seal coating various roads.

- 1) Frederichs Dr NW, Fitzpatrick Ln NW, Kuisie Ln NW, Halloran Ln NW and 11<sup>th</sup> Ave (to the top of the hill) \$28,395.00
- 2) Kings Dr NW, Hyland Ct NW, and 18<sup>th</sup> Ave \$18,795.00
- 3) Road to Uncle John's \$15,750.00

After much discussion, Mark Thein made a motion to allow Bargaen to do the proposed seal coating for a total cost of \$62,940.00. Neil Stolp seconded, motion carried 3-0.

#### Comments:

- The Board reviewed the joint meeting with Zumbro Township regarding the Ryans Bay Road. Zumbro has agreed to contact Wabasha County Engineer Deitrich Flesch to draw up a plan so that contractors could bid on the same plan. However, Zumbro would like Oronoco Township to split the \$5,000.00 engineer expense. Del Mergens as well as other Sunset Bay residents, expressed to the Board that Oronoco Township should split the expense 50/50. After further discussion, Mark Thein made a motion to pay \$2,500.00. Neil Stolp seconded, motion carried 3-0. Richard commented that Zumbro residents did not show up at their Annual Meeting to express their concerns, consequently funding options will have to wait another year. Mark will notify Zumbro of the decision to pay half.
- Neil Stolp received a phone call from a resident in Cravath Addition indicating that there was too much rock already and not to dump anymore. Neil contacted Tom w/Schumacher and instructed him "No more rock". Scott w/Schumacher had inquires as to why they did not put rock on their road. Neil and Scott told the residents to come to the meeting, however, no one came to express their concerns.
- There have been complaints from Windermere regarding Waste Management. No action taken.

- Richard indicated that he will be out of town for the next OPAC meeting (May 16). A motion was made by Mark Thein and seconded by Neil Stolp that Mark would attend the OPAC meeting in Richard's place. Motion carried.
- Aaron Biedermann gave an update on the petition for blacktopping. The Board briefly went through the process.
- Scott Schumacher – will contact Mike Soltis with Frazer on prep & chloride on the pit road.
- Scott-Carol Briggs has problems with water draining through the culvert. Needs the ditch/culvert cleaned.
- Scott-Thompson Road/121 curve needs culvert/ditch cleaning
- Scott-Box culvert County installed on 115<sup>th</sup>-farmer has plowed a track for the water to flow.
- Kim Stanton-working on the web site. Should be up a running within the month. Working on the domain.

Mark Thein made a motion to adjourn, Richard Lyke seconded. Motion carried.

Respectfully Submitted

Mark Thein, Chairman \_\_\_\_\_ Judy Haglund, Clerk \_\_\_\_\_