

Minutes of Special Watab Town Board Meeting on August 8, 2017

The special meeting of the Watab Town Board was called to order at 6:30 p.m. on Tuesday, August 8, 2017 by Chair Craig Gondeck. The purpose of the meeting is to discuss Findings of Fact to present to the Benton County Board of Adjustment and Planning Commission regarding the proposal for a variance and conditional use permit by Grace Apartments for their property on Roseanna Beach Road. Those present were Supervisors Gondeck, Todd Waytashek, and Lloyd Erdmann; Treasurer Maureen Graber; Clerk Pat Spence; and the following residents: Mary and Gene Kivi, John Olson, Jason Krueger, Roger and Karen Wolbeck, Rick and Hope Morrison, Ed Kacures, Dick Raveling, and Bob Raveling.

Supervisor Erdmann stated that what the property owner is proposing does not seem to be aligned with the goals of the township to continue making progress toward replacing mobile homes with stick-built homes in residential neighborhoods, and that the mobile homes are too closely spaced for the size of the lots. Supervisor Gondeck added that they are too close together in case of a fire; all would burn. The storm shelter is 6 x 10 feet, and is too small for what he has proposed. They would not accommodate twenty-eight people. Supervisor Waytashek said that a truck going off the highway would be airborne and go right through the homes. He showed a photo of a small truck going off the highway and being stopped by a tree. A large truck would not be stopped. He also discussed the importance of protecting the road setbacks.

Roger and Karen Wolbeck said the current septic system was on the downhill lot and was always leaking; they said there was sewage bubbling up on the ground. They reminded those present that the property is in the flood plain. Supervisor Waytashek said that the owner is looking at raising each mobile home pad. It is unknown how the septic system will be installed in the flood plain. Another question is if the owner can put a new septic over an old one. Gene Kivi said that when they put in a new septic system, the three old ones had to be removed.

Mary Kivi said that she has been speaking with people in the neighborhood. Their understanding and experience is that if a mobile home was moved out, it could not be replaced with anything but a stick-built home. The Wolbecks and Morrisons agreed that is what everyone in the neighborhood was told. The development code does not seem to address this.

Supervisor Erdmann said that an issue for all the taxpayers is that the township will only collect taxes on the land, not on the homes because the land will be owned by one party and rent charged for others to park their mobile homes on the lots. The homes will be personal property. This puts a stress on community services. Treasurer Maureen Graber added that Section 2.1.11 of the Development Code says that variances should not put unnecessary costs on public services. This project places too many people in a flood plain, will likely increase unpaid emergency service calls, it will add quite a bit of traffic to a narrow township street that doesn't have shoulders (20 feet wide), and it has difficult access to Highway 10.

Rick Morrison emphasized how this added population will congest a service road. The curve by the state-owned land is very dangerous in the winter time. He said that when they built in the 1980's, they were told by Benton County that they couldn't move in a mobile home if they were purchasing the land and there wasn't one currently there. He said that the Binsfelds were going to replace their mobile home and were told by the county that they

couldn't, so they have lived in the same mobile home since then. In 2007, Richard Anderson was told that he had to build a stick-built home.

Supervisor Erdmann asked if the conditional use permit application process considers whether the property is creating the need for the variance versus the problem being created by the property owner. These setbacks have been in place for a long time; if the property owner didn't do due diligence when he bought the land, he created the problem. Everyone else's lots are similar sizes, and they have their septic on their own lot. He asked why Benton County is proposing a mobile home park.

Someone questioned history on the trailer park in Sartell that has the same property owner. Another questioned who will take care of maintenance on the community septic system. Another question was why the county doesn't have regulations on rental properties. Jim and Hope Morrison have two neighbors that are in rentals, and he said the properties are not kept up. Supervisor Gondeck said that Shady Oaks in Sartell was planning to close and replace the mobile homes with an apartment building, but they learned that they would have to pay to relocate the mobile homes, so they changed their plans.

Mary Kivi said that Little Rock Lake Association members are very concerned about the impact of this project on further damage to the water quality of the lake, and members plan to attend the Board of Adjustment meeting on August 17th.

Jim Morrison addressed the issue of the underground spring located on the property. All the stormwater runoff goes into the swamp area in the center, and culverts drain that into the lake. The site has underlying marl, which will make unstable pads for mobile homes. The marl was discovered when Roseanna Beach Road was reconstructed a few years ago. Lloyd Erdmann confirmed this information, and said that he was the contractor for part of the work at that site.

Clerk Spence added that a Land Disturbance Permit would have to be issued for the property before a building permit could be issued or any excavation work done. The property owner would need to develop a SWPPP for review by the Township. We should invite Wayne Cymbaluk to review the site. Mary Kivi said that there are two species of endangered plants on the site.

Jim Morrison said that his home and the Wolbeck's home are on the hill north of this property. When Highway 10 was built, MNDOT built up the hill. They had to get statement that they were outside the flood plain to get insurance. He asked what flood plain guidelines the county is considering. The response was, "The hundred-year flood plain."

Supervisor Gondeck thanked everyone for their input. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann and passed to send all the findings of fact to Benton County Department of Development and to our County Commissioner and to present them at the upcoming meetings. Supervisor Gondeck added that he would not give out any additional driveway permits from the township for the property.

Supervisor Gondeck added that he would like an item on the agenda for the September Town Board Meeting: a moratorium on placing mobile homes in the township.

The special meeting was adjourned at 7:25 p.m.

Respectfully submitted by Clerk Pat Spence