

**MINUTES**  
**MONTHLY ORONOCO TOWN BOARD MEETING**  
**January 6, 2020 5:30 PM**

The **Pledge of Allegiance** was recited.

**The monthly Oronoco Town Board Meeting was called to order on January 6, 2020** by Chair Charlie Lacy. Present: Supervisors Charlie Lacy, Ken Mergen and Tammy Matzke, Treasurer Kim Stanton and Clerk Lucy Shonyo.

The **agenda** was changed to add a discussion of tax forfeited property as item 12.

**Minutes Approval** - Ken Mergen made a motion to approve the December 2, 2019 monthly meeting minutes. Tammy Matzke second, motion carried 3-0.

**Agenda Topics**

**OR2019-007VAR, applicant Keith Conway**

Kristi Gross, Senior Planner with Olmsted County Planning Dept was present to discuss this action.

**Background:** The request is for a variance to allow an on-site sewage treatment system to be located closer to the ordinary high water mark of Lake Zumbro than the required 75 feet setback. The property is located at 68 Sandy point Ct NE, in Mike's Sandy Point, in Sec 11 or Oronoco Township T108N R14W. The property is zoned R-1, Low Density Residential. Planning Staff recommends approval of this variance. DNR has recommended denial, however Kristi Gross believes the placement of the well wasn't considered.

**Staff findings:**

- a. The well on the property is 50 feet from the proposed SSTS. The SSTS cannot be placed any closer to the well, and it is very difficult to vary the well distance.
- b. A dwelling requires a compliant SSTS. The proposed area for the SSTS is the only area available based on the location of the well. The proposed system will have no impact to adjacent properties.
- c. The proposed SSTS should not have any detrimental effects to adjacent property.
- d. The variance request is not general or recurrent in nature. The request is common amongst small lots located within the shoreland district, however shoreland rules are derived from Minnesota State Statutes, which municipalities and jurisdictions are required to be compliant with.
- e. The request is the minimum variance to allow the SSTS on the property.

When deciding a variance to the Shoreland District or the River Corridor District regulations, the following additional factors shall be considered.

- No variance shall have the effect of allowing in any district uses prohibited in that district, permit a lower degree of flood protection than the Regulatory Flood Protection Elevation for

**OR2019-007VAR, applicant Keith Conway, continued**

- the particular area, or permit standards lower than those required by State law, or **The use is not prohibited in the district nor is it allowing a lower degree of flood protection.**
- In areas where development exists on both sides of a proposed building site, water and road setbacks may be varied to conform to the existing established setbacks, or **the proposal is for a SSTS, so this provision does not apply.**
- In areas of unusual topography or substantial elevation above the lake level, the water setback may be varied to allow a riparian owner reasonable use and enjoyment of his property, or **The property does not contain unusual topographic or substantial elevation above the lake level.**
- Where homes incorporate a method of sewage disposal other than soil absorption, water setbacks may be reduced by one-third (1/3). **The applicant is not proposing any other method of sewage disposal other than soil absorption.**
- For existing developments, the application for variance must clearly demonstrate whether a conforming sewage treatment system is present for the intended use of the property. The variance, if issued, must require reconstruction of a nonconforming sewage treatment system. **The existing system is not compliant the proposal is for a compliant system.**

**Staff Recommendation**

Based upon all the above findings staff has the following recommendations:

Approve the on site sewage treatment system 45 feet from the ordinary high water mark with the following conditions:

1. The applicant shall utilize pre-treatment to minimize the drainfield area and improve effluent quality.
2. The applicant shall provide a survey with the permit for the on-site sewage treatment system to ensure all other setbacks are met.
3. The well shall meet the casing requirement or a new well must be drilled prior to the issuance of the permit for the on-site sewage treatment system.
4. Best management practices shall be used throughout construction of septic system and future dwelling to ensure erosion control on the site.

**Charlie Lacy opened the public hearing.** He asked 3 times for comments for or against this variance. With no one wishing to speak, the public hearing was closed.

**Ken Mergen made a motion to approve OR2019-007VAR based on staff findings and inclusive of staff recommendations. Tammy Matzke second, motion carried 3-0.**

**OTPAC Process – Paige Collins, OTPAC Chair**

Paige Collins was present to share OTPAC (Oronoco Township Planning Advisory Commission) history and current projects with the board. About 1999-2000, Oronoco Township began its planning partnership with Olmsted County, an association that has worked well. In 2001 Oronoco Township adopted its Land Use Plan, which is currently being updated. Protecting our water resources is a major goal. Oronoco Township has the Hwy 52 corridor and businesses, farmland, and water/lakeshore to consider in Land Use Planning.

OTPAC grants CUPs (Conditional Use Permits), they do not go to the town board. OTPAC first hears zone changes and ordinance changes and provides their recommendation to the town board.

OTPAC considered roads and transportation infrastructure in its decisions and land use planning.

OTPAC members are Paige Collins, Rich Albrecht, Angela Smith, Alice Flood, Al Short, Adam Rucker.

Charlie Lacy is the town board liaison. Meetings are the 3<sup>rd</sup> Monday monthly, 7pm, Oronoco City Hall.

**Road Report – Scott Schumacher, Ken Mergen**

Scott Schumacher reported usual ice and snow removal. Ken Mergen got calls from three citizens: 50<sup>th</sup> Ave past the Frazier quarry being a mess, a Zumbro Haven citizen concerned about plow damage to lawns (Scott noted this was within the township road right of way and there shouldn't be lawn to the edge of the road), a retaining wall damaged by the snowplow on Cedar Crest Lane. Scott will look at the wall.

**Ryans Bay Road Update**

The board discussed the two outstanding easements. The town board previously received a letter from Mr. Hornseth and Mr. Sawinski indicating damages sought from the township. It has been determined by Mike Zillgitt, Construction Engineer, that the Sawinski and Hornseth easement is not needed since a modest change can be made to the construction plan. Ken Mergen made a motion to authorize township attorney Bob Ruppe to send a response to Mr. Sawinski and Mr. Hornseth. Charlie Lacy second, motion carried 3-0.

The board also received a letter from Mr. Frutiger. There was discussion about his request to not vacate part of Sunset Bay Road so that current access to his property remains the same. The solution may be to close the road, and mark it as such, but give Mr. Frutiger sole access to it at his own risk.

The township would not maintain the road. Ken Mergen will talk with Mr. Frutiger.

Charlie Lacy will attend the next Zumbro Township meeting to update them.

**Parking Ordinance Update**

Residents of Cedar Beach Drive were present to express their displeasure with still having vehicles parked on the road and road-side, some of them unlicensed vehicles. Charlie Lacy learned there were problems with the ordinance and will speak with Captain Satzke. OTPAC will revise the ordinance at

**Parking Ordinance Update, continued**

their next meeting, hopefully with the Board approving necessary revisions at their February meeting. Charlie Lacy will also contact Planning & Zoning Enforcement Officer Rob Mathias.

**Administrative Business**

**Treasurer’s Report – Kim Stanton**

The YTD Statement of Receipts, Disbursements and Balances as of December 31, 2019 shows: Receipts \$827,915.21 and Disbursements \$737,336.85 with an ending balance of \$597,615.38. December net payroll (paid in Jan) totaled \$1,813.04, bills totaled \$51,076.99.

Schedule 1 and CTAS match. The second draw of tax receipts, about \$300,000, is due from the county tomorrow. Ken Mergen made a motion to approve the treasurer’s report as presented. Tammy Matzke second, motion carried 3-0.

**Approval to Pay Bills** - Claims totaling \$51,076.99 and net payroll totaling \$1,813.04 were presented for payment. Ken Mergen made a motion to approve claims and payroll payments. Tammy Matzke second, motion carried 3-0.

**OTPAC Report – Charlie Lacy** – The future Land Use Plan was discussed. Paige Collins gave other details in her report earlier.

**2020 Annual Meeting**

Kim Stanton provided a 4 year history of levies. The discussion will continue in February.

**Neil Stolp’s Appreciation Gathering**

Tammy Matzke will talk with Uncle John’s about arrangements.

**Board of Audit** – The Board of Audit will be held after the February 3 meeting.

**Tax Forfeited Property** – The township owns 841431040399, Outlot A. There was a question about this parcel with county records. Lucy Shonyo and Charlie Lacy will visit Property Records.

Ken Mergen made a motion to adjourn at 8:00pm. Tammy Matzke second, motion carried 3-0.

Respectfully Submitted

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Lucy Shonyo, Clerk

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Charlie Lacy, Chair