

**CITY OF HANOVER  
PLANNING COMMISSION MEETING  
JULY 22, 2013 – OFFICIAL MINUTES**

**Call to Order/ Pledge of Allegiance**

Dawn Sprauangel called the June 24, 2013 Planning Commission Meeting to order at 7:01 p.m. Members present were Chair Dawn Sprauangel, Jim Schendel, Chris Zanetti, and Liaison Doug Hammerseng. Members Reid Rabon and Julie Smola were absent. Also present were Administrative Assistant Brian Hagen and City Planner Cindy Nash. Guests present were neighbors within 350 feet of 546 Kayla Lane, the potential buyer of the 546 Kayla Lane property, and two representatives from Village Bank, Kerry Olson and Randy Diers.

**Approval of Agenda:**

**MOTION** by Zanetti to approve agenda as presented, seconded by Schendel. Motion carried unanimously.

**Approval of Minutes from June 24, 2013 Regular Meeting**

It was asked by members to add further detail on what was recommended for the driveway placement on the Green House Project. They wanted to added statements about a shared driveway/parking lot that were discussed. They also asked for the discussion about the landscaping recommendation to be noted even though landscaping is not park of the concept review stage.

**MOTION** by Schendel to approve amended minutes, seconded by Zanetti. Motion carried unanimously.

**Citizen's Forum:**

None

Regular meeting was close at 7:03 p.m. for a public hearing.

**Public Hearing:**

Nash introduced the Public Hearing topic by explaining the property. She explained how the property was included in a preliminary plat approved by the city before there was wetland setback. She then explained what was being asked for by the property owner, Meadow Creek Builders, in order to build a home for a potential buyer. She clarified with members that the wetland encroachment is on a wetland placed in the side yard. This area does not look to be a wetland by most people, but it has been deemed a wetland area. Nash further explained the pond in the rear yard is not the wetland with the request to encroach on. Nash stated the variance application requests for a 17 ft. variance from edge of house to edge of wetland, and a 13 ft. variance from edge of deck to edge of wetland. Nash explained the survey has been analyzed by the engineer and herself, and they have made a conclusion to recommend the Planning Commission approve the variance with the following conditions; build per survey submitted, no grading in the drainage and utility easement, and to post permanent signs noting where the edge of wetland is.

Ms. Bury asked how it can be sure the wetland will be protected long term and stated her concern is for the ecosystem in order to protect the animal's habitat. Nash stated the variance is where the protection is implemented. It will address long term concerns by placing conditions of what can and cannot be done to the property. Hagen also stated that the survey will allow staff to know how the land started. If there is suspicion that the land was altered we will be able confirm that by have a new survey completed and compare the new with the old.

Mr. Jahnke stated he was curious how the final elevation would change. The proposed elevations were shared with the audience. Jahnke stated he was the adjacent neighbor and was only curious because the grading would affect his lot. He also noted he is in favor of the lot having a home because it has sat empty and unmaintained for several years.

Mr. Beasley informed staff that the large storm water pond tends to overflow into the wetland in the side yard of 546 Kayla Lane. He wanted to be sure staff has considered the water levels that happen after hard rain falls. Nash explained the house is proposed to be 4 ft. higher than ordinary high water level. She stated the engineer looked at this when he reviewed the survey.

Ms. Ceass informed people present at the meeting that she is the potential buyer of the property. She stated her and her husband have moved from Colorado to be closer to family. They chose this lot because of the scenery. She stated they have their house plans and have asked for a variance because if they didn't they would never know if they could have

built on the lot. She went on to state that they have every intention of protecting the wetland because they do enjoy the view it offers. Hammerseng asked what precautions may need to be made in order to prevent erosion into the wetland. Nash responded that she would ask the engineer to give a condition that addresses future erosion. Nash stated this could be in the form of rip-wrap or a retaining wall.

Member Spraugel stated she had the same concerns that were addressed in a letter submitted by Ms. Bury. Spraugel stated Hanover takes pride in their rural feel that maintains the natural landscapes. Nash assured the variance is approved with conditions in order to protect the land, resident, and city. Nash also explained that in order to receive a variance it must be shown with practical difficulty a structure cannot be placed on the lot. Nash explained practical difficulty in this matter could mean the lot is not wide enough in order to enforce the setbacks on an expected house. Hammerseng asked if the builder would be required to place the retaining wall in the lot. Nash stated a retaining wall may not be the solution, but that the engineer will determine what measure will need to be taken to prevent erosion. At that time, it would be a requirement for that to happen as part of the landscaping, infrastructure, and erosion control requirements. Nash stated she would confirm a cost with the engineer for the escrow amount.

Ms. Bury asked if the DNR had been contacted regarding the encroachment. Nash explained this wetland typically is not a concern for the DNR unless grading was to happen within the wetland area. Hagen also explained Wright County Soil and Water Conservation were contacted regarding wetland setbacks. They informed staff that the county does not require setbacks, but instead focus on erosion control and different measures implemented during construction to reduce the chance of altering the wetland.

Public hearing closed at 8:44 p.m.

Spraugel stated she is not in favor of the variance because of how Hanover chooses to preserve the natural settings. She stated it would go against the Conservation Design standard that the City has adopted. Zanetti stated his concern is protection of the wetland. He stated a retaining wall or some form of erosion control is a great idea, and to possibly slide the house over and have a portion behind the garage. Nash stated that sliding the house portion would cause the interior design to be altered. New plans would then have to be submitted at that point. The new plans would then have different setbacks and the process would start over. Schendel stated he would rather see a home built and have new residents in town versus the city having to purchase and maintain the lot. His concern was if a variance is not approved for the lot then this lot and several others would be deemed unbuildable.

**MOTION** by Schendel to recommend Council approve the variance application with the conditions listed below, seconded by Zanetti.

- Subject to conditions in City Planner Nash's staff report
- Builder and Buyer are encouraged to move home further away and submit plans for review
- City Engineer set escrow amount for erosion control measures
- No part of the structure, including deck, be closer than 17 ft. from the edge of wetland.

Motion carried with a two to one vote. Schendel and Zanetti aye, Spraugel nay.

### **Reports:**

Hagen reported that several builders have given their thanks to the Planning Commission, Council, and Staff for passing the new Zoning Ordinance.

### **Adjournment:**

**MOTION** by Schendel to adjourn, seconded by Zanetti. Motion carried unanimously. Adjourned at 8:02 p.m.

ATTEST:

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Brian Hagen, Administrative Assistant