

**MINUTES
VARIANCE BOARD MEETING
SEPTEMBER 23, 2019**

The meeting was called to order at 8:05 a.m.

Present: Members: Christopherson, Johnson, Denn via Conference Call; Planner: Riedesel; Applicants: Trish Sieh & Zachary Zweifler, Scannell Properties.

APPROVE AGENDA: Johnson moved approval of the Agenda as submitted. Denn seconded. Ayes all.

APPROVE MINUTES: Johnson moved approval of the Minutes of August 15, 2019. Denn seconded. Ayes all.

SMC CORPORATION, 5858 Centerville Road – Request for a Variance from Section 5-2.10 of Ordinance No. 87: Riedesel summarized the request from SMC to construct a new light industrial building and master plan their entire site for future development. The Planning Commission has reviewed the proposal and recommended approval of a subdivision, Wetland Permit and Permitted Use Standards Permit. Additional staff review of the plans found that Section 5-2.10 of Ordinance No. 87, which requires minimum wetland setback buffers is not being met.

Ordinance No. 87 requires a 20' buffer around all wetlands, Greater if a slope exceeds 4:1.

An access roadway is proposed with a retaining wall adjacent to a wetland. The wetland is being created to compensate for wetland on the property which is proposed to be filled.

If the wetland buffer is required per Ordinance No. 87, new wetland would have to be located elsewhere on the site. New wetland replacement in the amount of 115,220 square feet is proposed to be created on site. In addition, wetland buffer areas are proposed as well as purchasing of wetland credits. The wetland credits being purchased are located outside of White Bear Township. If the buffer is required of the applicants,

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approximately 12,000 square feet of wetland would be eliminated in favor of a buffer. Additional wetland credits must be purchased to meet wetland replacement requirements.

The Variance Board reviewed the request to vary from Ordinance No. 87 and the consensus is that creating wetland on site is preferred to purchasing wetland credits off-site. It was also noted that the buffer setback requirements defined by Ordinance No. 87 are not consistent with requirements of VLAWMO, and the Rice Creek Watershed District.

The Variance Board supported the SMC plan as proposed and Denn moved to approve the variance from Ordinance No. 87. Johnson seconded. Ayes all.

SCANNELL PROPERTIES, 4850 Constellation Drive – Review of Section 5-2.10 of Ordinance No. 87 to Determine Impact on Proposal & Consider Variance if

Applicable: Scannell Properties has designed a new office/manufacturing/warehouse building on Constellation Drive. Scannell is proposing some wetland fill on the property. In addition, Section 5-2.10 of Ordinance No. 87 has come into question. The applicants have designed a wetland buffer between a wetland and the truck docking area. The buffer is proposed to be 40'. The elevation of the edge of the wetland is 910'. The top of the retaining wall is proposed to be approximately 928'. Based on the slope between the edge of wetland and retaining wall, additional setback must be provided to meet Ordinance No. 87 requirements.

Providing the additional buffer would mean redesign of the rear portion of the building where the truck docks are proposed.

The applicants are asking the Town to consider a variance from Section 5.2-10 of Ordinance No. 87.

Johnson noted that he could support the request as the Town's requirements are more restrictive than the local water management organization (VLAWMO). He feels the Town should review this section of the ordinance for consistency with other communities and watershed district requirements.

Johnson moved approval of the variance from Section 5.2-10 of Ordinance No. 87. Denn seconded. Ayes all.

The meeting adjourned at 8:20 a.m.

Respectfully Submitted,

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Tom Riedesel
Planner