

**HAVEN TOWNSHIP  
SHERBURNE COUNTY, MINNESOTA  
R-2-01  
RESOLUTION REGARDING A STUDY  
FOR A NEW BRIDGE SOUTH OF 10TH STREET**

WHEREAS, Sherburne County has experienced an enormous amount of population and residential development, but Haven Township in Sherburne County has not experienced the same growth numbers,

**and**

WHEREAS, State and Federal laws (see: Minn. Rules §6105.0190) provide that when considering alternatives to a new bridge in the Wild and Scenic Area *primary consideration shall be given to crossings located within or adjacent to existing facilities* to assure they are at maximum use and capacity (including widening the 10th Street Bridge, building Michigan Avenue through to Highway 10, and widening the East St. Germain Bridge),

**and**

WHEREAS, numerous environmental agencies (*Federal EPA, Minnesota PCA, St. Cloud Area Environmental Council, Central Minnesota Chapter of the Izaak Walton League of America, Minnesota Department of Natural Resources*) have expressed concerns about the environmental impacts to the Wild and Scenic Status of the Mississippi River from 10th Street South in St. Cloud to Clearwater, Minnesota,

**and**

WHEREAS, the Haven Township Board has established a record of supporting *the Minnesota Wild and Scenic Rivers Act* and wishes to continue this position,

**and**

WHEREAS, the Haven Township Board and Sherburne County have been standard bearers in regards to the preservation of agricultural land and the curbing of urban sprawl, in Haven Township and parts of St. Cloud adjacent to Haven Township,

**and**

WHEREAS, a substantial number of Haven Township residents (over 10% of the registered voters in the Township) at the June 2001 public informational meeting and via the petition process, have indicated their opposition to study for a bridge South of 10th Street in Haven Township (a copy of the Petition is attached),

**and**

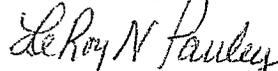
WHEREAS, the Federal Highway Agency, Minnesota Department of Transportation Army Corps of Engineers, Minnesota Department of Natural Resources, and the United States Environmental Protection Agency agreed Tuesday, July 24, 2001, to initiate an investigation of the *cumulative* effects of all bridge crossings between the 10th Street South Bridge and Anoka.

**BE IT THEREFORE RESOLVED** that the Haven Township Board, County of Sherburne, State of Minnesota, considering the aforementioned conditions, hereby respectfully requests that the St. Cloud Area Planning Organizations (a.k.a. the APO) study of a bridge corridor in Haven Township be discontinued.

Dated: August 20, 2001

HAVEN TOWNSHIP

By



LeRoy Pauley, Town Board Chair

By



Mike Zniewski, Town Clerk

# County to Hold Public Hearing on Cluster Plats

BY KEN FRANCIS  
STAFF WRITER

Despite a unanimous decision by townships to keep the buildability ordinance intact, the Sherburne County Board of Commissioners voted Tuesday to hold a public hearing October 9 at 10 a.m. to discuss changing the rules on cluster plats.

At the quarterly township association meeting in July, Zoning Administrator Nancy Riddle proposed changing the buildability requirement to one-foot separation on newly platted lots. Township representatives at that meeting voted to leave the ordinance as written, citing potential flooded basements as a major problem.

Riddle later sent a modified plan to each township that would allow just cluster developments to be built with a one-foot separation, with restrictions on developers to provide grading and drainage plans, build

house pads and establish the type of house on each lot.

In response to the revised plan, Riddle either received letters or spoke personally with representatives from all 10 townships in the county, and the consensus was to keep the three-foot separation to mottled soil rule.

Some members of the board questioned whether the three-foot separation was too restrictive, especially for cluster plats.

"The three-foot rule was originally adopted to go along with the state statute for septic systems," said Commissioner Arne Engstrom. "The planning commission wanted to have two septic sites on each lot and so the 40,000 square foot regulation was adopted."

Since cluster developments typically have a common septic system on a different lot, the three-foot rule is not necessary, he said.

Commissioner Ray Friedl

argued when the ordinance was originally written, the board was concerned about population growth in the townships.

"It had more to do with the question of density than sanitation. It was a way of having fewer houses in the townships," he said. "Now if that's the way we still want to do it, then we'll be penalizing property owners from the possible best use of their land."

Engstrom said board members voted for the ordinance, believing the water table would be the standard, not mottled soil.

"I was on the board when this was brought up," he said. "The separation from mottled soil was not what we discussed at the time. It was not until very recently that I discovered we use mottling as our water table."

COUNTY to page 12A

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St. Cloud.

## COUNTY from page 10A

home might have a wet basement drainage, topography, type of soil, mottling and water table. "If you build at six-foot separation from mottling but on poor soil, you're still going to have water problems," he said. "If you're in a depression where the slope all around you is higher, you'll have a problem."

He said many older homes that have never had a water problem would be considered unbuildable on their current lots by today's standards.

Commissioner Betsy Wergin asked Riddle how the county would handle future cluster developments where three-foot separation was possible.

"Would we be saying to developers it's a three-foot separation unless you apply for a one-foot separation in your development?" she asked. "And if you apply for the one-foot separation, these are all the new regulations you must follow."

"I think that's probably the way we want to handle it, otherwise we would have to change everything for clusters," said Riddle. "And there will be cases where they can meet the three-foot regulation."

The board voted 4-1 to hold a public hearing on the issue, with Commissioner Terry Nagorski voting against.

DATE RECORDED: 03/20/2001  
DOC. NUMBER: 431850

APPLICATION IS CONSIDERED COMPLETE UPON RECEIPT OF THE FOLLOWING:

APPLICATION DATE: 01/17/2001  
RECEIPT #: 25707  
FEE PAID: \$200.00  
RECORDING FEE PD:

- A) SIGNATURE OF PROPERTY OWNER
- B) REQUIRED FEES
- C) SPECIFIC INFORMATION AS REQUESTED BY ORDINANCE
- D) COMMENTS FROM APPROPRIATE AGENCIES
- E) AFFIDAVIT OF PUBLICATION

UNDER THE REQUIREMENTS OF THE ZONING ORDINANCES OF  
SHERBURNE COUNTY, MINNESOTA  
APPLICATION IS HEREBY MADE FOR

**CONDITIONAL USE PERMIT**

**CONDITIONAL USE PERMIT RECREATIONAL ACTIVITY**

APPLICANT: LIEBERMAN, BROCK  
1011 2ND ST N SUITE 110  
SAINT CLOUD MN 56303  
56303

PHONE: 320-253-6252

OWNER: LIEBERMAN, BROCK  
1011 2ND ST N SUITE 110  
SAINT CLOUD MN 56303  
56303

PHONE:

OTHER CONTACTS:

**SHERBURNE COUNTY, MINNESOTA**

PID: 25-113-4105

OTHER PARCELS: 25-018-3215

PLAT NAME:

LEGAL: S1/2 OF NE1/4 OF SE1/4 OF SEC 13, TWP 35, RGE 31  
ALSO PT OF S1/2 OF NW1/4 OF SW1/4 OF SEC 18, TWP  
35, RGE 30 LYING WLY OF CO RD #8

DEEDED ACRES 24.51

SECTION: 13 TOWNSHIP: 35 HAVEN

RANGE: 31

ZONING DISTRICT: AGRICULTURAL USE

LAKE NAME

LAKE NUMBER:

SEPTIC INFO:

CONFORMING:

**EXPLANATION OF REQUEST AND ACTIONS TAKEN:**

SEASONAL GOLF DRIVING RANGE

2/15/01 PC recommended approval w/ the following conditions:

- a) No artificial lighting; only motion detector lights or yellow tinted security lights; Signage according to Zoning Ordinance requirements;
- b) Prior to opening the facility, owner will implement a three wire (not barbed) fence or physical barrier to extend the length of the south side of the facility and along side the front of the property facing CSAH 8. Gates must be locked when the facility is not open;
- c) A recommendation from the County Engineer regarding the access requirements;
- d) Restroom or sanitary facilities provided and water accessible if needed;
- e) Trees must be planted six (6) feet in height on the south side. The owner will construct a fifty (50) foot tall netting for homes that are exposed. The plan for fencing and trees must be done thirty (30) days prior to the facility being opened ;
- f) The owner will provide the County with a Public Liability and Property Damage Insurance Certificates in an amount determined reasonable to the County;
- g) No more than forty (40) parking spaces and no on-street parking;
- h) No more than eighty (80) persons at the facility at one time;

- i) Any event drawing more than the above number of people would need special approval;
- j) Operational plan must be presented to the Zoning Administrator;
- k) Hours of operation will be from sunrise to sundown; no later than 9pm
- l) Permit will be subject to an annual review by Haven Township for comment.
- m) The conditions in Section 16, Subd 2, Item 32 of the Zoning Ordinance are met;
- n) The findings in Section 18, Subd 5, Item 3 have been made.

3/06/01 CB approved the CUP with the same conditions

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APPLICATION IS: APPROVED: \_\_\_\_\_ DENIED: \_\_\_\_\_ WITHDRAWN: \_\_\_\_\_

ZONING ADMINISTRATOR: \_\_\_\_\_ DATE: \_\_\_\_\_

COPY OF FINAL ACTIONS MAILED TO APPLICANT: 03/14/2001

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**WILLY TOWN ADDITION**  
**HAVEN TOWNSHIP**  
**SHERBURNE COUNTY, MINN.**

**SCALE: 1"=200'**

