

**Minutes of the Meeting of the Avon Township Planning Board**  
December 29, 2010  
Avon Township Hall

**Call to Order:** Chairman Mergen called to order the regular meeting of the Planning Board at 7:30 P.M. in the main Chamber of the Town Hall.

**Pledge:** Clerk Saupe led the Pledge of Allegiance.

**Roll Call:** Present – Ken Mergen, Roger Nelson, Gerry Kremers, Lowell Rushmeyer, Stephen Saupe.

**Approval of Agenda:** Rushmeyer moved to approve the agenda as presented. Mergen second. All in favor. Motion carried.

**Minutes:** Mergen moved to approve the minutes of the November 24, 2010 meeting as written. Nelson second. All in favor. Motion carried.

**Public Hearing – Straley WECS:** At 8:00 PM, Chair Mergen opened the Public Hearing to consider a request for a Conditional Use Permit by Mr. Joseph Straley to install a 10 kW Jacobs wind turbine at his residence. This would be the second turbine on the site; the Town permitted another one six to eight years ago. This turbine will be used, in part, for testing purposes in his business. The blades will be 29 feet in diameter. As a comparison, Mr. Straley stated that the Blattner turbine blades are 66 feet in diameter. The tower will be 120 feet high and will be able to be tipped down to allow for the installation of various blades. Mr. Straley does not plan to expand his wind turbine business. There was a question about the zoning of the property, but it is likely A-40. The turbine will make some noise (45 dB at 150 feet) but Mr. Straley stated that it would be less noisy than the Interstate.

Notices about the hearing were sent to 14 neighbors, published in the *Stearns-Morrison Enterprise*, and posted. No comments about the project were received. Three neighbors (Jan Fruth, Ken Fruth, Mitchell Fruth) who live near Mr. Straley appeared to speak in favor of the project and stated that they hadn't heard any negative comments about the project.

Rushmeyer moved to close the public hearing. Nelson second. All in favor. Motion carried. The CUP application received from Mr. Straley was incomplete. The Board needed more information to make a decision. Rushmeyer moved to continue discussion of the Straley CUP request until the next Planning Board meeting on January 26<sup>th</sup> at 7:45 PM to give Mr. Straley time to complete the application. Mergen second. All in favor. Motion carried.

**Business:**

- 1. Baker Plat** – Ms. Lisa Baker appeared to receive final approval for the plat for her property on County Road 9. She presented to the Planning Board the plat and three accompanying documents (“Amended certificate of transfer of development rights and declaration of restrictions,” “Subdivision agreement for Baker’s acres,” and “Declaration of restriction for sewage treatment system site”). The documents indicate that a residence is not permitted because the building right was transferred to the original owner of the property. Rushmeyer moved to approve the final plat and attachments as presented. Nelson second. All in favor. Motion carried.

2. **Oehrlein Preliminary Plat** – Ms. Patti Oehrlein appeared to receive approval for a preliminary plat of property owned with Mr. Terry Oehrlein on Narnia Lane. The plat would reduce the number of parcels from three to two with each parcel being at least one acre in size, and the plat would correct and update boundary lines. Mergen moved to approve the administrative plat for the Oehrlein's as presented. Kremers second. All in favor. Motion carried.
3. **Batzer Variance**– No word has been received on the outcome of the County hearing for Mr. Bruce Batzer. Saupe will follow up with the County.
4. **CAPX2020 Update** – Supervisor LeRoy Gondringer reported that he and Supervisor Richard Bresnahan had attended the PUC hearings in St. Paul where Mr. Bresnahan testified. Gondringer stated that Bresnahan did an excellent job representing the Town. It was Gondringer's impression that any of the southern routes will be acceptable to Excel and that the transmission line is unlikely to be constructed underground (due to cost and engineering issues). Final comments should be submitted to the Judge by January 5, 2011. She will recommend a route to the PUC for final approval. Bresnahan will hire a local college student(s) to compile public testimony to make it easier for the judge to identify issues important to the Town.
5. **Snow Plowing** – Gondringer stated that plowing is going well overall. Few complaints and several compliments have been received. The Town is saving money by plowing our own roads and providing good service to residents.

**Announcements:** The Township Open House will be held on February 13, 2011. Gondringer met with a reporter from the *Stearns-Morrison Enterprise* to show him the new Town facility.

**Adjournment:** Rushmeyer moved to adjourn the meeting at 8:55 PM. Kremers second. All in favor. Motion carried.

**Next Meeting:** The next meeting is January 26, 2011 at 7:30 PM.

Respectfully submitted,  
Stephen Saupe, Clerk

Minutes amended & approved: January 26, 2011