

# **Minutes of the Meeting of the Avon Township Planning Commission**

April 24, 2013

Avon Township Hall (16881 Queens Road, Avon)

**Call to Order:** Chairman Mergen called to order the regular meeting of the Avon Township Planning Commission at 7:30 PM. in the Main Chamber of the Town Hall.

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

**Roll Call:** Present – Gerry Kremers, Ken Mergen, Roger Nelson, and Stephen Saupe.  
Absent – Will Huston

**Approval of Agenda:** A discussion of the new County ordinance concerning chickens was added to the agenda. Mergen moved to approve the agenda as amended. Nelson second. All in favor. Motion carried.

**Minutes:** Nelson moved to approve the minutes of the March 27, 2013 meeting as presented. Kremers second. All in favor. Motion carried.

**Public Hearing: Merdan Conditional Use Permit Hearing** – Chair Mergen called to order at 7:45 PM a public hearing to consider a request by Jane & John Merdan for a Conditional Use Permit to split a two-acre lot from their property. Mr. Eric Merdan presented an overview of the proposal. A CUP is required because the property is in the Natural Resource Overlay District, which requires either a Conservation Design or public hearing. The building envelope for the project will be two acres to restrict impact on agricultural land. Access will occur from County Road 50 via an existing field road. Mergen moved to close the public hearing. Nelson second. All in favor. Motion carried.

Fifteen letters to neighbors were mailed, the hearing appeared in the *Enterprise*, and was posted on the Town website and in the legal posting places. No comments were received. The board went through the Findings of Fact and determined that the proposal: (1) is consistent with existing Township ordinances (i.e., 7.32); (2) must adhere to all pertinent Stearns County ordinances and regulations; (3) is compatible with present and future land use in the area which is to remain primarily agricultural; (4) does not require any screening or separation distance – it is already present at the site; (5) is part of the Avon Hills and that the proposal must follow all pertinent County regulations; (6) will not generate excess traffic nor impact the safety of area roads; (7) conforms to the comprehensive plan; (8) will not negatively impact public services; (9) that clean-up/reclamation is not required. In addition, the proposal will not allow a use that is prohibited in the zoning district and is in harmony with the general character of the area.

Nelson moved to recommend to the Supervisors approval of a Conditional Use Permit for John & Jane Merdan to split two acres of their property in the Natural Resource Overlay District to construct a house provided that the project follows all applicable Stearns County rules and regulations. Kremers second. All in favor. Motion carried.

## **Scheduled Business:**

1. **Knife River Interim Use Permit** – Holly Brisk from Knife River appeared to request

renewal of the Interim Use Permit (IUP) for gravel mining on the Ramler/Pierskalla site. They are requesting washing be included though not planning on it at this time. There is no well currently on the site. They may want to bring in an asphalt plant. If so, they would notify neighbors 5 – 10 days in advance. A site inspection was conducted about 5 years ago. Mergen moved to recommend to the Supervisors setting a site inspection for 6:30 PM and a public hearing for 7:45 PM, both on May 29, 2013, to consider the request for an IUP by Knife River. Nelson second. All in favor. Motion carried. If approved the IUP agreement should include a clause to notify neighbors.

- 2. **Chickens** – Mergen reported that according to the *St. Cloud Times*, Stearns County now allows up to 15 chickens on one-acre properties and that Towns are permitted to adopt stricter regulations. Noise, odor and accumulating manure were discussed as some potential problems. There was no consensus whether or not the Town should pass an ordinance restricting chickens. This could perhaps be discussed at the next Annual Meeting and/or in the proposed *Town Newsletter*.

**Other & Old Business:** none

**Announcements/Reports:**

- Waters Edge – approximately 26 lots are for sale for tax forfeiture.
- The new photography studio in Avon has closed and the space is for rent.
- A sound barrier along I-94 is being considered by Avon residents.

**Adjournment:** Kremers moved to adjourn the meeting at approximately 8:32 PM. Mergen second. All in favor. Motion carried.

**Next Meeting:** The next meeting is May 29, 2013 at 7:30 PM.

Respectfully submitted,  
Stephen G. Saupe, Clerk

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Ken Mergen, Chair

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Date

Attest:

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Date