

Minutes of the Meeting of the Avon Township Planning Commission

May 31, 2017

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chairman Huston 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: The Pledge of Allegiance was recited.

Roll Call: Present – LeRoy Gondringer, Gerry Kremers, Will Huston, Ken Mergen, and Stephen Saupe. Also in attendance: Mike Linn.

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

Minutes: Mergen moved to approve the minutes from the April 26, 2017 meeting as presented. Kremers second. All in favor. Motion carried.

Public Hearings:

FastSun3 LLC – Chair Huston opened a public hearing at about 7:50 to consider a request by FastSun3 LLC to construct a 1-MW solar garden on property owned by Brian & Linda Gertken (PID 03.00935.0000). Mr. Chuck Beisner from Sunrise Energy Ventures was present to answer questions.

Stearns Community Solar One, LLC – Chair Huston opened a second public hearing at about 7:53 to consider a request by Stearns Community Solar One, LLC to construct a 1-MW solar garden on property owned by Brian & Linda Gertken (PID 03.00935.0000). Mr. Chuck Beisner from Sunrise Energy Ventures also represented this project.

Mr. Beisner provided an overview of the projects. Among his comments were: (1) the projects would include about 4000 panels on 6 acres; (2) the panels would track the sun and be about 12 feet at the highest point; (3) the project is third in cue with Xcel; (4) lines would follow existing lines and be both above and below ground; (5) the project must be 200 feet from the nearest residence and is currently 350 feet away; (6) the two projects will be side-by-side on the Gertken property. Two separate hearings/projects are being discussed simultaneously because a current moratorium restricts solar gardens to 1 MW and that it is difficult to make a 1 MW project financially feasible; (7) individual panels are 2 x 3 feet and are double-stacked; (8) the company will plant a pollinator friendly mix beneath the panels; (9) the panels have a 25-year warranty and there is a 25-year lease with the Gertken's. The project will be decommissioned in 25 years and the panels removed and the site returned to its original condition. A reclamation plan is part of the contract; (10) it will take about 90 days to construct; (11) noise from the panels is minimal; (12) a visual block usually consisting of a row of pines or two rows of staggered pines will be planted; (13) a chain link fence (7 feet) will surround the project. They used to also put barbed wire on the top but that is not generally done now; (14) his company has been in business since 2004; and (15) he believes that the project is taxed at 1.2 cents per kilowatt produced, 80% of which goes to the County and 20% to the Town.

About 65 letters were sent neighbors, regardless of whether they lived in the City & Town, within 2000 feet of the project. One email comment from Mr. Chuck Griffith was received – he took no exception to the project. Mr. Dennis Bogard expressed his opposition to the project because he was concerned about the effect on his property values, as well as the diminished view from his home. He invited the

Board to view the proposed area from his deck. Ms. Lila Tschida, another neighbor, asked a variety of pointed questions. Ms. Greta Noska questioned where new lines and other structures would be sited. Mr. Beisner stated anything new will be on the Gertken property and will use existing Xcel lines. Rich & Brenda Sonoski, who also live on Smiley Drive, expressed concerns about traffic on their road.

To provide time for a site inspection, Mergen moved to continued the public hearings for FastSun3 LLC and Stearns Community Solar One LLC until the next meeting (June 28, 2017) to give time for a site inspection. Gondringer second. Four in favor. One opposed (Saupe). Motion carried.

Gondringer moved to recommend to the Supervisors holding a site inspection at 6:30 PM on June 28, 2017. Mergen second. Four in favor. One opposed (Saupe). Motion carried. The Planning Commission recommends meeting on Smiley Drive, just north of the Wobegon Bike Trail.

We will seek feedback on the project from Stearns County Parks department because of the proximity of the project to the Wobegon Bike Trail. The Clerk will contact the director.

Scheduled Business:

1. **Schmitz Preliminary Plat** – Mr. Jamie Schmitz appeared to request approval of a preliminary plat, which involves a land swap from the north end of his property to the south. Gondringer moved to recommend to the Supervisors approving the preliminary plat for Mr. Jamie Schmitz. Mergen second. All in favor. Motion carried. Gondringer moved to recommend to the Supervisors approval of a Certificate of Compliance if one is required. Mergen second. All in favor. Motion carried.
2. **Bullert Zoning Inquiry** – Daniel & Marie Bullert appeared to learn about options for rezoning their property (PID 03.01551.0006; 18703 Two Rivers Road) which is currently zoned A40. They are considering splitting off lots to sell. The Planning Commission recommended contacting Stearns County Environmental Services. They were also told that they the Township is generally opposed to spot zoning but they could potentially make a case for R5 zoning because neighboring parcels are zoned R5. The process for rezoning was briefly described: Submit application to County, County requests recommendation from Township; County holds hearing and makes decision.
3. **Zoning Forms** – There are a multiple zoning forms in the Town files. Gondringer moved to recommend to the Supervisors to adopt the County rezoning form. Kremers second. All in favor. Motion carried.
4. **Shades** – An item to consider for future purchase are shades for the door on the NW side of the building.

Other & Old Business: none

Announcements/Reports:

1. The Town received notice that the Knife River Asphalt plant will operate until about June 13th.
2. The Town Attorney created an Encroachment Agreement for the Notch project discussed at the last meeting.
3. The draft Environmental Impact Statement (EIS) for the Enbridge Pipeline project is available at the following link: <https://mn.gov/commerce/energyfacilities/line3/>.

Adjournment: Mergen moved to adjourn the meeting at about 9:00 PM. Gondringer second. All in favor. Motion carried.

Next Meeting: There will be a site inspection on the Gertken property on Wednesday, June 28, 2017 at 6:30 PM (intersection of Smiley Drive & Co Rd 54). The next meeting is June 28, 2017 at 7:30 PM.

Respectfully submitted,
Stephen G. Saupe Clerk

Clerk signature: _____ date: _____

Approval:

Planning Commission Chair – Will Huston

date