

# Minutes of the Meeting of the Avon Township Planning Commission

September 27, 2023

Avon Township Hall (16881 Queens Road, Avon)

**Call to Order:** Chair Lori Yurczyk called to order the meeting of the Avon Township Planning Commission (PC) at 7:00 PM in the Main Chamber of the Town Hall. The meeting, like all Town meetings, was also available via Zoom at the following URL: <https://us02web.zoom.us/j/8325486945> (PIN: AvonTown).

**Pledge:** The Pledge of Allegiance was recited.

**Roll Call:** Present – Craig Blonigen, Rich Sanoski, Stephen Saupe, Andrew Wensmann, and Lori Yurczyk (*Chair*). Also present: LeRoy Gondringer, Kelly Martini

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

**Minutes:** Sanoski moved to approve the minutes from the September 27, 2023 meeting as presented. Wensmann second. All in favor. Motion carried.

**Public Hearings:** *none scheduled*

## **Business:**

- Lange Certificate of Compliance** – Jeff Lange, Lange Properties of Avon, appeared at the meeting to request a Certificate of Compliance to split 28 acres from his 132-acre property at 32906 County Road 50 (PID 03.01110.0012). This is the former Beuning farm. The most recent survey was received in an email to the Clerk on September 22, 2023. The split is being done for financial and estate planning purposes; Lange Properties is selling the buildings to Lange Trenching. The 28-acre split includes most of the buildings. The remainder of the property is largely wooded. Mr. Lange stated he hoped it would stay that way. Mr. Lange said no new accesses to the property from the road will be required. Wensmann moved to recommend to the Supervisors approval of a Certificate of Compliance for Jeff Lange, Lange Properties of Avon, to split 28 acres from his property at 32906 Co Rd 50 (PID 03.01110.0012). Blonigen second. All in favor. Motion carried.
- Rabideau Driveway Permit** – Mr. James Rabideau, 33728 Highland Terrace (PID 03.01331.0000), appeared at the meeting to request a driveway permit to construct a concrete slab addition (7.3 x 20 feet) to his driveway. The current driveway is 16.7 feet wide; the addition would result in a total width at the road of 24 feet, which is the maximum allowed. The existing driveway is concrete. Mr. Rabideau stated that the parking pad was needed to provide enough parking for visitors, especially because parking on the road is difficult because the road is so narrow. He also envisioned using the pad as a basketball court. Addition of the pad would not exceed impervious surface requirements for lakeshore properties (14% impervious surface with the proposed pad). It was noted that if a typical vehicle, 15-foot long, parks on the pad, the vehicle would only be 5 feet from the road. This could present a safety issue and could be a problem for snow plowing. Mr. Rabideau said that the pad couldn't be moved further from the road because of large elm trees on the property. He said that there are other neighbors with similar-sized driveways. Mr. Rabideau stated he didn't plan to permanently park a vehicle (*i.e.*, camper) on the pad; it is primarily for temporary parking. The PC noted that it might be possible to move the pad parallel to the road (perpendicular to the existing driveway) but outside of the road right-of-way. Mr. Rabideau questioned the visual appearance of doing this. An overhead powerline runs approximately along the property line, which was measured to be about 37 feet from the center-of-the-road. Yurczyk indicated that the

Township is hesitant to allow parking pads in the Town road right-of-way due to safety and road maintenance issues, but the Town also recognizes the need for safe parking. The PC suggested that other options could be explored, including moving the pad completely out of the right-of-way parallel to the road. Sanoski moved to recommend to the Supervisors that a Township representative inspect the proposed site to evaluate parking options. Wensmann second. All in favor. Motion carried.

3. **Sowada Transfer of Development Rights** – There was a request from Jodi Sowada to transfer a development credit from a parcel in Holding Township to one in Avon Township (03.00703.0000). Due to an apparent mix-up, the Sowada's did not appear at tonight's meeting to discuss this proposal. Without further information, the PC was unable to make any specific recommendations regarding the request. However, several generic aspects related to the transfer of developments were discussed including whether or not the Township should charge a fee, and what sort of documentation would be appropriate for the process. Yurczyk moved to recommend to the Supervisors to review the TDR review process, fee schedule, consideration of a public hearing, and documentation. Blonigen second. All in favor. Motion carried. The PC also noted that the Township passed Resolution 09-07-11-1 regarding TDR's. In this resolution it is not clear if the Town supports TDR transfers into any area of the Township (see 9.3.7) or whether the intent was to restrict transfer to just Urban Expansion and growth areas. Blonigen moved to recommend to the Supervisors to review or clarify the Township intent of Resolution 09-07-11-1 regarding the receipt of TDR's into the Township. Wensmann second. All in favor. Motion carried.
4. **LRIP Grant** – the Township will apply for a LRIP Grant from MNDOT to resurface Queens Road. The Clerk reported that we have begun the application process. Letters were sent to approximately 65 likely users of the road (residents of Queens Road and nearby roads) to recruit them to sign a petition in support of the grant process. Roughly half have been returned to date. It was suggested that we should follow up with individuals who didn't respond to the initial mailing. The Clerk met with former Supervisor Will Huston earlier this evening to go over the grant. Huston's help is welcome because he was instrumental in our previous successful LRIP proposal (for Norway Road) and because he is an engineer who understands the technical side of the proposals. The PC went through the online proposal document and made suggestions that the Clerk and Huston will use to put together the final proposal.

Other items discussed include: Does a bicycling group use Queens Road, and if so, can should we solicit a letter of support from them? Queens is a popular road for motorists when I-94 is closed; should we recruit letters from farmers who use Queens to access their fields? Do we need to do a more thorough vehicle study – Koopmeiners counted about 32 cars in 3 hours on Wednesday, Sept 20<sup>th</sup>, during morning 'rush hour.' Safety should be emphasized in the proposal because we are planning to widen the road and narrow bridge and adjust slopes in the right-of-way. We could address leaning power poles, the possible need for some new culverts, and possible conversion to a 10-ton road.

5. **Solar Moratorium** – The PC discussed how to proceed to evaluate the moratorium on solar gardens. We could solicit feedback from residents either at the Annual Meeting or a Public Hearing. However, these may not be particularly fruitful since we hope to be through with the process by March 2024 and there is usually not good turnout for public hearings. Yurczyk solicited opinions of the PC members about solar gardens. Blonigen expressed concerns about the reality of recycling and reclamation of panels at their end of the use. Yurczyk said that she prefers large solar gardens to be hidden. Wensmann questioned whether solar was a viable option for energy generation, especially in less sunny areas, and also wondered whether more research on the viability of solar is required. Sanoski wondered if there should be a greater benefit to the Township. Saupe is supportive of solar but was unaware of problems recycling panels, and is concerned about loss of agricultural land. A notice can be put on the website encouraging feedback from residents on solar gardens in the Township. We can talk to other Towns with a moratorium, and also do a Google search for ideas related to the moratorium and solar gardens. At the next meeting, the PC will

create a list of pros and cons of the moratorium.

- 6. **Public Comments** – The Clerk noted that some governmental groups include a “Public Comment” section in their meeting agendas and questioned whether the Town should do so, too. Though residents are always welcome to speak at a meeting, the PC thought it might seem more welcoming to include a specific comment section. Blonigen moved to recommend to the Supervisors including a section on “Public Comments” on the meeting agendas for the Planning Commission and Supervisors. Wensmann second. All in favor. Motion carried.
  
- 7. **Driveway Permits** – the question arose of whether or not to return a driveway damage deposit if a paving company cuts into a Township road, which violates Township regulations. Residents should be aware of this rule when they receive their driveway permit that includes policies, but may not think to mention it to the paving company. In addition, paving companies should know better, and may do so without knowledge/permission of the resident. It suggested a checkbox could be included on the driveway permit application to ensure residents understand the policies. If the road is cut into during driveway installation, even if there is no visible damage to the road one option is to delay the return of the deposit until after a winter season to see if any damage occurs. If the Township doesn’t return a damage deposit, a resident could seek reimbursement from the paving company. Another option is to change the rule about returning a damage deposit on road damage.

**Reports/Announcements:**

- Shady’s has apparently constructed a band shelter and added parking, which has caused some concerns at the County level.
  
- There was an inquiry about installing decorative concrete pillars at the end of a driveway. The pillars would be considered analogous to a fence, which means it would not require a Construction Site Permit and that it must not be in the Township road right-of-way (typically 33 feet from the center of the road).

**Next Meeting:** The next PC meeting is October 25, 2023 at 7:00 PM *(see ‘Call to Order’ for the Zoom log-in).*

**Other Meetings:** Other Upcoming Meetings/Events *(see ‘Call to Order’ for the Zoom log-in)* include:

- Supervisors Meeting – October 4, 2023
- Joint Planning Commission – October 30, 7 PM, Avon Township Hall

**Adjournment:** Sanoski moved to adjourn the meeting at 9:50 PM. Blonigen second. Meeting adjourned.

**Respectfully submitted,**  
Stephen G. Saupe, Clerk

**date:** September 30, 2023

**Approval:**

\_\_\_\_\_  
Lori Yurczyk, *Planning Commission Chair – signature*

**date:** \_\_\_\_\_