

Minutes of the Meeting of the Avon Township Planning Commission

June 28, 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 (*via Zoom*), and Lori Yurczyk (*Chair*). Also present: LeRoy Gondringer, Kelly Martini

Approval of Agenda: Discussion of a potential Conditional Use Permit (CUP) for a dog kennel was added to the agenda. Blonigen moved to approve the agenda as amended. Sanoski second. All in favor. Motion carried.

Minutes: Sanoski moved to approve the minutes from the May 31, 2023 meeting as presented. Blonigen second. All in favor. Motion carried.

Public Hearings: *none scheduled.*

Business:

1. **Lang/Gondringer Driveway** – Barb & Joe Lang, 37075 Pelican Lake Road, appeared to request a driveway permit. For many years the Lang's have accessed the road by cutting across a portion of their neighbor's property at 37067 Pelican Lake Road. The neighbors recently resurfaced their driveway, from asphalt to concrete, but left a portion normally used by the Lang's as gravel. Though the Lang's access to the road has not been blocked, the Lang's are concerned that they must now use the gravel portion of the driveway to access the road. The past shared driveway arrangement is no longer acceptable to both residents. As a result, and on the recommendation of their attorney, the Lang's want to construct a driveway.

Extending the driveway to Co Rd 154 is not an option for a variety of reasons including necessary setback from the intersection with Pelican Lake Road. The primary option for the Lang's is to site their driveway in the Township right-of-way to Pelican Lake Road. They propose extending their driveway two feet to the north/west of the existing corner pin between their property and their neighbor's property and then to the NE to Pelican Lake Road. The proposed driveway would be 14 feet from the neighbor driveway and 44 feet from a guard rail extending from Co Rd 154. The Lang's said they can't move the drive too much further north/west because of a ditch.

Concerns discussed by the PC regarding their plan include: (a) Is there a required setback from the County Road? (b) will the drive require a culvert? (c) will water sit between the two driveways? and (d) is there adequate space between the driveways for pushing snow? The Clerk will follow up with the County highway department to ensure that the proposed location is set back sufficiently from the County Road. A culvert is likely not necessary, but Gondringer will inspect.

Blonigen moved to recommend to the Supervisors approval of a driveway permit for Joe & Barb Lang to site a driveway in the township road right-of-way that would be at least 4 feet from the property corner pin and 16 feet from their neighbor's driveway. Sanoski second. All in favor. Motion carried.

2. **Sanoski Conditional Use Permit** – Richard Sanoski was at the meeting to request a CUP for a conventional subdivision in the Avon Hills Environmental Overlay area. At their recent (June 2023) meeting, the Supervisors approved a preliminary plat for Sanoski that would combine three adjacent parcels and then split them roughly in half. After examining the plat, it was realized that the property is in the Avon Hills environmental overlay area, which means the proposal requires a CUP. Blonigen moved to recommend to the Supervisors setting a public hearing on July 26, 2023 at 7:15 PM to consider a Conditional Use Permit for Rich & Brenda Sanoski for a Conventional subdivision in the Avon Hills Environmental Overlay area. Wensmann second. All in favor. Motion carried.
3. **Hiring Policy Review** – The Supervisors requested the PC to review a draft of a Township hiring policy. The draft was examined and changes/edits were suggested. The document was significantly modified. The general consensus was to have the Clerk make the suggested edits and then bring it to the next PC meeting for review before submitting to the Supervisors for their discussion and approval.

There was a discussion of the possibility of the Township hiring an HR firm to handle payroll, Workman's Compensation and similar issues, because these areas have gotten so complicated it may be necessary to have specialists handle it. The drawback is that it would likely be costly.

The employment application was briefly examined. The main change suggested at this time was to include a notice on the application of where to return the completed application (*i.e.*, Clerk).

4. **CUP Policy Review** – the forms and policy were reviewed. No changes are recommended at this time.
5. **Dog Kennel Inquiry** – An inquiry was received from Brian Nistler about obtaining a CUP to operate a dog kennel. This is a permitted use in A40 zoning. The Township is responsible for issuing CUP's based on our MOU with the County. Jennifer Buckentine, Stearns County Environmental Services, suggested that the County might be willing to accept the responsibility for this, but the MOU would need to be changed. The requirements for permitting a dog kennel, which are very detailed/complex, are in section 6.34 of the 439 Ordinance.
6. **Solar Garden Moratorium** – Several townships in the County have a moratorium on new solar installations. The question was raised whether we should consider a moratorium. The PC discussed a potential solar garden moratorium in the township. Blonigen expressed concerns about the evolving technology and cited it as a possible reason to hold a moratorium. Sansoki said there wasn't any specific benefit to the Township other than small amount of interest from any escrow. Wensmann was concerned that solar panels are an eyesore, a potential environmental hazard (panel disposal), and the public benefits are minimal. Saupe was concerned about the loss of property owner rights if a moratorium was enacted, but also appreciated that they are eyesores. He sees the need for greater regulation on where they are sited (*i.e.*, property setbacks). Yurczyk said a moratorium would commit the township to an in-depth study of solar and then a decision would need to be made. She said the panels are eyesores, but a good benefit for homeowners. She supports property rights but was concerned that Novel proposed to install a new garden and then selling the project to bypass regulations about how many solar gardens could be built by the same company within a mile.

Reports/Announcements:

- There will be a County Hearing for James & Sarah Rabideau to consider a variance for siting a septic system closer to a lake ordinary high-water mark than is currently allowed by ordinance.

Next Meeting: The next PC meeting is July 26, 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:

- Supervisor’s meeting, July 5, 2023
- Joint Planning Commission – October 10, 7 PM, Avon Township Hall

Adjournment: Sanoski moved to adjourn the meeting at 9:20 PM. Blonigen second. All in favor. Motion carried.

Respectfully submitted,
Stephen G. Saupe, Clerk

date: August 1, 2023

Approval:

Lori Yurczyk, *Planning Commission Chair – signature*

date: _____