

Minutes of the Meeting of the Joint Planning Board of Avon Township & the City of Avon March 4, 2025

Call to Order: Chair Jim Read called to order the meeting of the Joint Planning Board (JPB) of Avon Township and the City of Avon at 7:00 PM in the Main Chamber of the Town Hall, 116881 Queens Road, Avon. The meeting was also available via Zoom at the following URL: <https://us02web.zoom.us/j/8325486945> (PIN: AvonTown).

Roll Call: Present – Mark Schulzetenberge (*City Council*), Jim Read (*City Planning Commission*), Lori Yurczyk (*Township Planning Commission*), Chad Klocker (*Township Supervisor*). All present. There was a quorum.

Other Town and City staff present include: Jodi Austing-Traut (*City Administrator*), LeRoy Gondringer (*Township Supervisor*), Jeff Manthe (*City Mayor*), Rich Sanoski (*Township Planning Commission*), & Stephen Saupe (*Township Clerk*).

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

Minutes: Yurczyk moved to approve the minutes from the July 22, 2024 meeting as presented. Klocker second. All in favor. Motion carried.

Business:

1. **Amanda Birnie – Provisional Use for Short Term Rental.** Amanda Birnie has requested a Provisional Use Permit for a short-term rental at her property at 33526 Shorewood Drive, Avon (PID 03.01485.0000). She has completed most of the paperwork with Stearns County but needs a recommendation from the Joint Planning Board. Because the property is in the Township, she originally approached the Township for approval. The Supervisors supported her request at their February 5, 2025 meeting. However, it was later realized that because the property is in the Urban Expansion District, the proposal actually requires Joint Planning Board approval.

Ms. Birnie appeared at the meeting via Zoom. She provided background regarding the request. Ms. Birnie said that she was originally from Albany and later lived in Avon. She now lives in Excelsior (MN). Her father, Joe Schwinghammer, owned the home but recently passed. She said that her father worked hard to maintain and keep the home in the family. She plans to retire in the house. Ms. Birnie said she is requesting the short-term rental to offset costs. She plans to rent primarily during the school year, but only a few times in the summer because she intends to stay there summers. They will target renters such as medical staff and faculty/staff from the nearby colleges.

Schulzetenberge said that he understands the property is in the Township and has town blessing, however, he is not a fan of short-term rentals because of a bad experience with one in his neighborhood. He said he doesn't have a particular problem with this proposal, as long as precautions are taken to avoid problems. Read said that the City has been having discussions about rentals and that the County has many regulations and restrictions regarding short-term rentals. He also said that it is important that the rentals/renters respect neighborhood association rules. He also said it would be good to try to avoid a cluster of short-term rentals because it changes the character of a neighborhood. It was noted that this would be the second rental unit on Middle Spunk Lake. It was noted that the other rental is primarily a commercial enterprise. Ms. Birnie said

that hers will not be a commercial entity, but rented just to keep the house in family. Gordie and Yvette Smith will be caretakers on site.

Yurczyk inquired how often she intended to rent the home and what was the planned occupancy. Ms. Birnie said she wasn't sure how often but just a few times in summer; a couple of times a month. She also said that the maximum occupancy during the day would probably be 15, but with only 8 sleeping there. Gondringer clarified the County rules for a Provisional Use permit which limits overnight guests to 8, and maximum occupancy to 1.5 times the overnight guests, which would be 12. Ms. Birnie said she wasn't aware of this, but that there would be cameras to monitor occupancy. Yurczyk said that she asked the question to assess if Ms. Birnie knew the rules and that she wanted Ms. Birnie to understand exactly what is being permitted. Yurczyk felt it was clear that Ms. Birnie did not know the rules of the Provisional Use permit for this short-term rental request. She suggested that the Birnie's understand the requirements and standards of the permit because they would be held to them and would be reprimanded for issues if requirements and standards were not adhered to.

Klocker moved to recommend to the County to approve a Provisional Use permit for a short-term rental for Amanda Birnie's property (33526 Shorewood Drive, Avon; PID 03.01485.0000), for no more than 8 overnight guests and that she must follow all pertinent County guidelines and rules relative to short-term rentals. Schulzetenberge second. All in favor. Motion carried. There was a consensus that this permit would not carry over to the next owner of the property. Austing-Traut inquired about the procedure if there was a need for a revocation of the permit.

Despite the meeting being called on behalf of Ms. Birnie, it was generally agreed that no fee would be charged because the Joint Planning Board was obligated to meet anyway.

2. **Joint Powers Agreement Renewal.** The existing agreement expires at the end of December. An *ad hoc* committee was established and met in September (2024) to discuss renewal. The main issues that arose at that meeting were: (a) Approval Percentage – the City questioned the requirement of 60% approval and suggested 51% was more practical; (b) Water Quality – failing septic systems contribute to decreased lake water quality and emphasize the need to hook up to City sewer. Read said it was hoped that grants could be obtained to help defray costs. He plans to look into state/federal funding but is not optimistic; (c) Tax-rate Step-up. Austing-Traut reported that she was in contact with Arlen Westergren, who said mechanisms are available to handle this situation; (d) City Service Availability – some annexed properties still don't have City services; (e) Annexation Areas – the current annexation area map shows that there are areas that likely would never receive city water/sewer because they are so far, while there are other areas that likely should have services; and (f) there is a need for a map for reference of the properties that are in the Joint Powers area.

Austing-Traut provided lake water quality data from Wayne Cymbaluk. These data show that overall water quality (clarity) has remained constant or slightly improved in most area lakes. Nevertheless, there was a general consensus that it would be good to have all lake residents on city services. Among the problems is that those who have recently upgraded their system are unlikely to want to hook up to City services because of the cost. Though residents could be 'forced' to hook up, this causes significant concerns, such as when this occurred on Grand Lake and in the Alexandria area. It was suggested that financial incentives could be provided, but it was unclear where the funding would come from. The incentive could be based on the age of the system such that newer systems would receive a greater incentive. Yurczyk said that the age of systems could be determined by researching permits in the Stearns County Property Viewer or other database. It was suggested that the impetus to require sewer might have to come from Environmental Services or a grassroots

group such as the Avon Lakes Association.

The impact of lawn chemicals and leeching on water quality was also discussed. Jeff Manthe said that rain garden programs such as those sponsored by the County have helped.

There was a discussion of whether the JPB should review proposals for new septic system installations. Though a good idea, the County handles these permits and the Township is usually not informed unless the system encroaches into the road right-of-way. In addition, we lack the expertise to effectively evaluate a system.

The idea that the City would run sewer to a neighborhood without it being annexed was discussed. One advantage is that residents might be more likely to support hooking up to the system and would encourage lake residents to be on City sewer for water quality. Manthe said that one problem is the resident would have no voice in the operation of the system.

Read suggested that requests for rezoning should come to the Joint Planning Board for discussion and that this could be put into the agreement.

Announcement of Next Scheduled Meeting: Since the main business of the JPB was finished, it was decided to adjourn and that the *ad hoc* committee working on the Orderly Annexation Agreement would then convene to continue these discussions.

Adjournment: Klocker moved to adjourn the meeting at 8:10 PM. Second by Schultzenberge. All in favor. Motion carried.

Respectfully submitted,

Date: March 5, 2025

Stephen G. Saupe, Clerk
Avon Township
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