

**Minutes of the Meeting of the Avon Township Planning Board**  
March 26, 2008  
Avon City Hall

**Call to Order:** The regular meeting of the Avon Township Planning Board was called to order by Chairman Ken Mergen at 8:00 P.M.

**Pledge:** Everyone stood for the Pledge of Allegiance.

**Roll Call:** Present – Gerry Kremers, Ken Mergen, Steve Plantenberg, Joe Scepaniak, and Stephen Saupe. Absent – Lowell Rushmeyer. Supervisor Leroy Gondringer was also present.

**Agenda:** The following items were suggested for addition to the agenda: (1) Plantenberg requested a discussion of CAPX2020; (2) Mergen requested a discussion of a request by St. John's for a rezoning change; (3) Plantenberg requested a discussion of a grant opportunity; (4) Mergen requested a discussion of township records; and (5) Mergen requested a discussion of options for the land owned by the township. Kremers moved to approve the addition of these items to the agenda. Mergen seconded. Approved unanimously.

**Minutes:** Some corrections to the minutes of the February 27, 2008 were made. Plantenberg made a motion to approve the amended minutes. Scepaniak seconded. Approved unanimously.

**Business**

1. Variance hearing – Mergen opened the variance hearing at 8:15 PM. Jim & Margie Lehner are requesting the construction of a cabin 55 feet from the center of the road. No public comments were received. Mr. Lehner was present and indicated that the cabin will be in line with neighbors and will meet the 30 feet setback from the road. The driveway will not be relocated. When asked what the hardship would be, Mr. Lehner responded that it would be the only way the plan would fit and that the road is not placed corrected. Mergen moved to close the public hearing. Scepaniak seconded. The Board discussed the request and then went through the "Criteria for Granting Variances" form: (1) Will the variance allow a use that is prohibited in the zoning district – No; (2) Is the variance in harmony with intent of applicable ordinances – Yes; (3) Are terms of variance consistent with comprehensive plan – Yes; (4) Is variance necessary to alleviate practical difficulties – Yes; (5) Does the proposal involve only economic hardship – No. Mergen moved to recommend to the Supervisors to approve the variance request. Kremers seconded. Unanimously approved.
2. Rezoning Request – St. John's. Br. Benedict Leuthner and Bill Boom from St. John's (Order of St. Benedict) appeared before the Board to request rezoning three parcels (03.01140.000, 03.01140.020, 03.01139.050), which were part of the original Phillippi property, from A40 to Educational/Ecclesiastical. When asked how it would affect taxes, Br. Benedict indicated that it was a separate process and that likely they would at some time apply for a tax exemption. On the parcel closest to St. John's, they plan to build apartment-style student housing especially because it is the most logical place for campus expansion.

Plantenberg indicated that this area is unique in the township because of the rapid infiltration into the groundwater. Plantenberg moved to recommend to the Supervisors to schedule a public hearing at 8:15 PM on April 30, 2008 to consider the request of the Order of St. Benedict to rezone three parcels from A40 to Educational/Ecclesiastical (EE). Mergen seconded. Approved unanimously. Gondringer suggested that the Board learn what EE zoning entails.

3. Township Salt Shed/Shop/Hall – The Township definitely needs a new salt shed and it will need to be constructed soon. The possibility of the Fire Department sharing a space was mentioned but at this time doesn't seem likely. The City has requested that the township find a new place to vote. John Merdan is talking to the church/etc. to locate a space. We may also need to find a place to store our scattered township records and a place to store snow removal equipment if it becomes necessary to purchase our own. Mr. Boom described some history in which local residents several years ago formed a non-profit planning group to consider construction of a township hall. The plans included a ball field, ice rink and warming shelter and the overall plans were tied into the Comprehensive Plan. Although the group has not been active for years, Mr. Boom thinks the non-profit status likely still exists. Plantenberg suggested three scenarios: The "Good" option – retrofit the existing salt shed; The "Better" Option – construct a pole barn; The "Best" Option – construct an engineered-steel building with a flexible design that would allow expandability options. It could include room for record storage, a room for township meetings and voting, a maintenance shop for snow removal vehicles, etc., and perhaps a firehouse. Space in the facility could possibly be rented. Plantenberg guesstimated that an approximate cost would be \$48-60 per square foot which includes landscaping, architectural fees, furnishings, etc. The project could be done in phases. Plantenberg suggested that we contact James Dean for advice on a plan.
4. CapX2020 – Plantenberg provided an update on the CapX plan. He indicated that the Avon Hills Initiative is working closely with CapX2020. Essentially the line will be run down the I-94 corridor from Fargo to Monticello. Their biggest obstacle to their plan is Avon – the lakes provide an impractical bottleneck for running the line. And since they don't want to run the lines over a city, they are considering alternate routes to the south and north of the Avon City. A northerly route would go through St. Wendel bog whereas a southerly route would involve more residential issues and forest. Avon Hills is planning to schedule a meeting with CapX officials.
5. Grant Opportunity for Planning – Plantenberg has talked with Tom Kroll, St. John's Arboretum, about an opportunity that would provide funding to have someone such as Randall Arndt to critique our existing ordinances and growth plans. This would hopefully provide creative solutions to development issues. Plantenberg moved to contact Avon Hills Initiative and Tom Kroll to request funding a grant to have Randall Arndt examine our ordinances. Mergen seconded. Unanimously approved.
6. Township Records – We need to organize our township records. Currently our records are scattered in various locations (Clerk Smith's, Gondringer's, Town Hall). One possibility is to separate Supervisors notes, Planning board notes, Public hearings, permits, etc.

**Announcements:** Mergen announced the gravel pit inspections on April 9 and the road inspection on April 12.

**Next Meeting:** The next Planning Board meeting will be April 30, 2008.

**Adjournment:** Scepaniak moved to adjourn the meeting at approximately 9:55 PM. Mergen seconded. Approved unanimously.

Respectfully submitted,

Stephen Saupe  
Deputy Clerk

Minutes approved: April 30, 2008