

## **Minutes of the Meeting of the Avon Township Planning Board**

June 30, 2010

Avon City Hall

**Call to Order:** The regular meeting of the Planning Board was called to order by Chairman Mergen at 7:30 P.M.

**Pledge:** Clerk Saupe led the Pledge of Allegiance.

**Roll Call:** Present – Ken Mergen, Roger Nelson, Gerry Kremers, Lowell Rushmeyer, Stephen Saupe.

**Approval of Agenda:** Saupe removed Lisa Knettel from the agenda. Mergen moved to approve the agenda as amended. Rushmeyer second. All in favor. Motion carried.

**Minutes:** The minutes of the May 26 meeting were amended to include “completed by the end of the year” in the discussion of the St. John’s wind turbine. Mergen moved to approve the minutes as amended. Nelson second. All in favor. Motion carried.

### **Business:**

- 1. McGuinness Conditional Use Permit** – Mr. Dennis McGuinness appeared to inform the Planning Board about a conditional use permit hearing that the Supervisors set for him for the July 28 Planning Board meeting. Mr. McGuinness is planning to build a home on 40 acres that has a LESA score greater than 65. This project requires a CUP to review and approve the house site location. Mergen moved to set a formal site inspection for July 28 at 6:45 PM. Rushmeyer second. All in favor motion carried. Since some board members live near the proposed site, it was decided that it would be simpler to have an informal inspection. Rushmeyer moved to rescind the previous motion. Saupe second. All in favor. Motion carried. Planning board members will visit on their own. Mr. McGuinness will stake the house site and will also provide the application and fee to Saupe prior to July 7.
- 2. Rushmeyer Minute-Taker at July Meeting** – Rushmeyer volunteered to take minutes at the July meeting because Saupe will be absent.
- 3. St. John’s WECS Public Hearing** – At 7:50 PM, Mergen called to order a Public Hearing to consider a request by St. John’s Abbey for a Conditional Use Permit for a 2.5 megawatt wind energy conversion system (WECS) that they are considering installing on the small hill west of the West Gemini Lake. Brother Benedict Luethner and Mr. Bill Boom appeared for St. John’s. No Board members received formal calls or written comments about the project. Mr. Richard Beach asked why St. John’s changed the turbine location from the previous location near the radio tower. Br. Benedict stated that radio tower site had lower wind value. Mr. Beach was concerned that the turbine would now be the main feature visitors will see when entering campus. Br. Benedict said the monastic community had considered this issue and was willing to accept it because they didn’t have a better site for the turbine. When asked how many turbines are planned, Br. Benedict replied, “one,” and it would be difficult to install another considering setback from neighbors and the existing turbine. When asked about noise from the turbine, Br. Benedict said they will receive a noise warranty from the manufacturer. Mr. LeRoy Gondringer said the noise from a similar turbine at 1100 feet would be about 50 decibels, the volume of normal conversation. It was stated that at

this distance, the turbine noise wouldn't be as loud as road noise from I-94. How will the turbine be lighted? Br. Benedict said a pulsating red light at night, which is in conformity with County (6.59.B.J4) and FAA guidelines. What kind of turbine will it be and is the company reliable? Br. Benedict stated it would be a Nordex turbine that could come from either Germany or a new plant being built in Arkansas; the company is a 'blue chip' firm that has been around for a while. Is there a decommissioning plan? Br. Benedict said "yes." Br. Benedict stated that if everything was approved and went according to schedule, the turbine would be installed by February. Mr. Ken Hanson, Supervisor from Collegeville Township, stated that no residents had contacted him about the proposed turbine. Will St John's consider shutting down the turbine on evenings during migration when the greatest bird kill is expected? Br. Benedict said, "yes."

Rushmeyer moved to close the public hearing. Mergen second. All in favor motion carried. After completing the findings of fact worksheet, Mergen moved to recommend to the Supervisors to approve the Conditional Use Permit submitted by St. John's for the WECS with the following considerations: (1) St John's consider shutting the turbine down during conditions (i.e., fall migration, low ceiling) that would cause the greatest potential problem for migratory birds; (2) The project must meet all Township and County guidelines; (3) The Township is provided a copy of the Building Site Permit; (4) the Township retains the right to an annual review of the conditions of the CUP; (5) St. John's provides data currently unavailable in their application; (6) allow a change of corporate name on the permit; and (7) St John's should provide a letter of credit or bond or establish an escrow account for the decommissioning of the turbine.

The Township needs to send an invoice for the site visit to St John's.

4. **Martin Public Hearing** – At 8:45 PM Mergen opened a Public Hearing to consider a request by Jeff and Leah Martin for a variance to construct a deck on their property on Pelican Lake Road 82 feet from the center-of-the-road. No comments or letters were received. Mr. Stephen Plantenberg said that since the property is within shoreland overlay it will need to meet all County requirements for railing heights, etc. It was noted that residents on the other side of the street were permitted to build closer to the road because of different zoning. Rushmeyer moved to close the public hearing. Kremers second. All in favor. Motion carried. After discussing the findings of fact, since the variance would grant the Martin's the same rights as residents on the opposite side of the road, Rushmeyer moved to recommend to the Supervisors to approve the variance to construct a deck 82 feet from the center-of-the-road. Mergen second. All in favor. Motion carried.

#### **Reports/Announcements:**

1. **Joint Powers** – no news.

**Adjournment:** Rushmeyer moved to adjourn the meeting at 8:58 PM. Mergen second. All in favor. Motion carried.

**Next Meeting:** The next meeting is July 28, 2010 at 7:30 PM.

Respectfully submitted,  
Stephen Saupe, Clerk

Minutes amended & approved: July 28, 2010.