

# Minutes of the Meeting of the Avon Township Planning Commission

February 29, 2012

Avon Township Hall (16881 Queens Road, Avon)

**Call to Order:** Chairman Mergen called to order the regular meeting of the Planning Commission at 7:30 P.M. in the Main Chamber of the Town Hall.

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

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

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

**Minutes:** Rushmeyer moved to approve the corrected minutes of the January 25, 2012 meeting. Nelson second. All in favor. Motion carried.

## **Public Hearing: Kampffer Variance**

Chair Mergen opened a Public Hearing at 7:45 PM to consider a request for a variance by Marty & Lisa Kampffer to construct a residence on Pelican Lake Road closer to the center-of-the-road than is currently permitted. They provided documents showing their plan to tear down an existing cabin and garage. They will stay within the confines of the open space on the property. The new residence will be no closer to the road than the existing garage. Two comments were received concerning the variance. Mr. Donald Pratt (36989 Pelican Lake Road) called the Clerk to offer support for the variance. In addition, a letter from Mr. Joe Lang in favor of the variance was read. No other comments were received. A total of 28 letters were sent to neighbors and the variance hearing was published in the *Enterprise* and announcements were posted in the Town posting sites. Nelson moved to close the public hearing. Rushmeyer second. All in favor. Motion carried.

The Commission generally agreed that the Kampffer's had "done their homework," made appropriate contacts at the County, have room for the well and septic, and the project is not out of character with the neighborhood. The Planning Commission addressed the Findings of Fact and made the following conclusions: (1) the proposal is consistent with existing Town ordinances; (2) there are no other Town standards, rules or requirements to be met, only County ones; (3) The proposal is compatible with future land use in the area; (4) Screening is not necessary; (5) There are no potential environmental impacts that are not already being considered by other ordinances. The Kampffer's will have silt fences on three sides, etc.; (6) The project will not generate excessive traffic; (7) the proposal conforms to the comprehensive plan; (8) the proposal will not negatively impact public services; and (9) no reclamation plan is required. The Planning Commission also considered criteria required for approving variances and concluded that (1) there is no excessive burdens on existing parks, schools, streets, and other public facilities; (2) the project is sufficiently compatible with or separated by distance or screening from adjacent agriculturally or residentially zoned or used land so that existing property will not be depreciated in value and there will be no deterrence to development of adjacent land; (3) the structure and site appearance will not have adverse effect upon adjacent properties; (4) the use is reasonably related to the existing land use; (5) the use is consistent with the purpose of Zoning Ordinance and Zoning District; (6) the use is not in conflict with the land

use plan of the Township; and (7) the use will not create traffic hazards or congestion.

Kremers moved to recommend to the Supervisors to approve the variance request by Martin and Lisa Kempfers. Nelson second. All in favor. Motion carried.

**Business:**

1. **Planning Commission Terms** – The terms of Kremers and Nelson will end this year. Both wish to be considered for reappointment to another term.
2. **Beckers Property** – Mr. Brad Beckers attended the meeting to alert the Planning Commission about issues that he is having with his neighbors encroaching on his property. Neighbors have allegedly built a septic system and fence on his property, and have placed a wood pile and debris/compost on the property. He was told that there isn't anything the Town can really do. The best approach is to talk to the neighbors to work out an equitable settlement.

**Announcements:**

1. **Redistricting** – Avon Township has been divided into two districts, 13A & 13B. We are waiting to hear what that will mean.
2. **Election & Annual Meeting** – On March 13 (Tues) from 12:00 – 8:00 PM the Town will hold the annual election for one Supervisor for a three-year term and one Clerk for a two-year term. John Merdan is running unopposed for re-election for a three-year term as Supervisor and Stephen Saupe is running unopposed for a two-year term as Clerk. After the election at 8:15 the Town will hold the Board of Canvass meeting and then at 8:30 the Annual Meeting. All Town residents, including Planning Commission members, are encouraged to attend.
3. **CAPX2020** – Excel is in the process of trying to procure land rights in Farming. Supervisor Gondringer has heard that Excel is not being fair in their dealings with the residents. Residents were led to believe that they would be paid ca. \$25,000 per tower but they are only being offered ca. \$5000. They have hired Rinke-Noonan to help them in the bargaining process.
4. **Snow Plowing** – Today's large storm generated a number of complaints about plowing. The plows were sent out about 2:00 AM and then again after lunch. Part of the problem is that so much snow fell between plowings.
5. Kremers announced that he had heard the hardware store site in Avon will become a pharmacy and photo processor.

**Adjournment:** Rushmeyer moved to adjourn the meeting at 8:40 P.M. Kremers second. All in favor. Motion carried.

**Next Meeting:** The next meeting is March 28, 2012 at 7:30 PM.

Respectfully submitted,  
Stephen Saupe, Clerk

Minutes amended & approved:

\_\_\_\_\_  
Ken Mergen, Chair

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Stephen Saupe, Clerk

\_\_\_\_\_  
Date