

Minutes of the Meeting of the Avon Township Planning Commission

May 29, 2013

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chairman Mergen called to order the regular meeting of the Avon Township Planning Commission at 7:30 PM. 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, and Stephen Saupe.
Absent – Will Huston

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

Minutes: Mergen moved to approve the minutes of the April 24, 2013 meeting as presented. Nelson second. All in favor. Motion carried.

Public Hearing: Knife River Interim Use Permit Hearing – Chair Mergen called to order at 7:45 PM a public hearing to consider a request by Knife River Corp. to renew their Interim Use Permit (IUP) for the Ramler/Pierskalla gravel mine. Mr. John Henry appeared to present the request. The Company plans to mine, process, wash, haul, and stockpile granular materials at the site. The gravel mine Mr. Henry said that the plant would comply with all state regulations for dust, fuel oil, water management, etc. Mr. Henry estimated that there would be less than two weeks of crushing work per year. A 500 W generator would be run as necessary; they are in a van though the back door is open and they will make some noise. Mr. Henry said that walls of the pit should prevent much of the sound from leaving the property. A resident requested that operations occur from 5 AM until 9 PM. There was some concern about how close mining operations would occur to an adjacent minimum maintenance road and whether the gravel could be used in the Town. Mergen moved to close the public hearing. Nelson second. All in favor. Motion carried.

Eighteen letters to neighbors within 1500 feet of the pit were mailed. An announcement for the hearing appeared in the *Enterprise*, and was posted on the Town website and in the legal posting places. There were no comments, written or otherwise, received from residents, other than from those attending the site inspection or public hearing.

The board went through the Findings of Fact and determined that the proposal: (1) is consistent with existing Township policy and processes and is consistent with Town history. This would be the renewal of an existing permit; (2) must adhere to all pertinent Stearns County and State ordinances and regulations; (3) is compatible with present and future land use in the area. In fact, the pit has been on the site for many years; (4) does not require any screening or separation distance. There is a ¼ mile driveway into the site and it is screened by existing mature trees; (5) addresses environmental impacts with a Spill Response Plan and general requirements discussed above; (6) will not generate excess traffic nor impact the safety of area roads; (7) conforms to the comprehensive plan; (8) will not negatively impact public services; and (9) requires a \$1000/acre bond for a total of \$20,000 to insure the site is adequately restored. A restoration plan is in place that is in compliance with all pertinent regulations. Mergen moved to accept the Findings of Fact. Kremers second. All in favor. Motion carried.

Mergen moved to recommend to the Supervisors approval of an Interim Use Permit for Knife River to operate the Ramler/Pierskalla gravel pit with the following conditions: (a) notify neighbors 5 – 10 days in advance of crushing; (b) operate from 5:00 AM – 9:00 PM; (c) stockpiles and natural vegetation used as a screening for noise reduction. If there is excess noise, the permit will be reviewed and Mr. Henry will be contacted; (d) appropriate signs are posted when hauling; (e) the pit meets all state and county regulations for erosion/storm water control and reclamation; (f) lighting is directed downward; (g) refuse is hauled off-site; (h) roads are watered to control dust if necessary; (i) a safety fence along the ridge to the west is installed/repared; and (j) the gate is locked when not in use. Nelson second. All in favor. Motion carried.

Scheduled Business:

1. **Himsl Administrative Split** – Mr. Sam DeLeo, Mr. Amor Himsl and Ms. Joyce Vos appeared to request a Certificate of Compliance for an administrative subdivision of the Himsl farm on Norway Road (Sections 24 & 25). Mr. DeLeo presented a survey showing the proposed boundaries. Mergen moved to recommend to the Supervisors approval of the Administrative Subdivision for Amor Himsl and Joyce Vos provided it meets all pertinent County and State rules and regulations. Kremers second. All in favor. Motion carried.
2. **Roads** – at a future meeting the Planning Commission will work on checking the road inventory for accuracy.
3. **Permit Information** – the Planning Commission edited a document summarizing the types of permits that are issued by the Town. This document will be put on the web.

Other & Old Business: *none*

Announcements/Reports:

- City News – Kremers reported that there isn't much new in the City.
- Brushing Work – Nelson reported that he has been busy with brushing on 370th, among other roads, and is making good progress. Supervisor Merdan sets his work priorities.

Adjournment: Nelson moved to adjourn the meeting at approximately 8:45 PM. Kremers second. All in favor. Motion carried.

Next Meeting: The next meeting is June 26, 2013 at 7:30 PM.

Respectfully submitted,
Stephen G. Saupe, Clerk

Ken Mergen, Chair

Date

Attest:
