

Minutes of the Meeting of the Avon Township Planning Commission

February 25, 2015

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 – LeRoy Gondringer, Will Huston, Gerry Kremers, Ken Mergen, and Stephen Saupe. Also present: Richard Bresnahan.

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

Minutes: Gondringer moved to approve the minutes of the January 28, 201 meeting as presented. Kremers second. Four in favor. One (Huston) abstain. Motion carried.

Public Hearings:

1. Thelen Variance Hearing – At 7:45 PM, Chair Mergen opened a public hearing to discuss a request by Ms. Mary Thelen to put an entryway on her home that would be closer to the road than is currently permitted by ordinance. Notice of the hearing was sent to 17 neighbors, posted, and published. No comments from the public were received, prior to, or during, the hearing. Gondringer moved to close the public hearing. Kremers second. All in favor. Motion carried.

The Findings of Facts showed that granting the variance for the addition: (1) will not allow a use that is prohibited in the zoning district; (2) is in harmony with the general purpose and intent of the applicable ordinance; (3) is consistent with the comprehensive plan; (4) is necessary to alleviate practical difficulties or a particular hardship resulting from strict enforcement of the applicable ordinances; and (5) does not involve only economic hardship.

Gondringer moved to recommend to the Supervisors approval of a variance for Mary Thelen to construct an addition to her home that is no more than four feet closer to the road than the current home. Kremers second. All in favor. Motion carried.

2. Baumgard Variance Hearing – At 8:15 PM Chair Mergen opened a public hearing for Mr. Jon Baumgard to consider a variance to site a garden shed closer to the road than is currently permitted by ordinance. Notice of the hearing was sent to 20 neighbors, posted, and published. No comments from the public were received, prior to, or during, the hearing. Gondringer moved to close the public hearing. Kremers second. All in favor. Motion carried. Mr. Baumgard stated that he installed a slab for the structure prior to realizing the need for a permit and that it was the only available flat area.

The Findings of Facts showed that granting the variance for the addition: (1) will not allow a use that is prohibited in the zoning district; (2) is in harmony with the general purpose and intent of the applicable ordinance; (3) is consistent with the comprehensive plan; (4) is necessary to alleviate practical difficulties or a particular hardship resulting from strict

enforcement of the applicable ordinances; and (5) does not involve only economic hardship (Huston disagreed).

Gondringer moved to recommend to the Supervisors to grant a variance of 12 feet, or 81 feet from the center-of-the-road. Mergen second. Four in favor. One (Huston) opposed. Motion carried.

Scheduled Business:

1. **Fasen Variance** – Mr. Duane Fasen, Noble Oak Circle, appeared to request a variance to construct a garage 13 feet closer to the road than is currently permitted by ordinance. He has been working with the County concerning lake and wetland issues. Mr. Fasen stated the project is above the high-water mark. He is aware of side-yard setbacks. Gondringer moved to recommend to the Supervisors to set a public hearing for Mr. Duane Fasen at a future Planning Commission that is compatible with Mr. Fasen’s schedule. Kremers second. All in favor. Motion carried.
2. **Saint John’s Solar Garden** – Mergen moved to recommend to the Supervisors to set a public hearing on March 25th at 7:45 PM to consider a request by Saint John’s Abbey to install a solar garden. Kremers second. All in favor. Motion carried.
3. **Hearing Timing** – Gondringer suggested that in the future all public hearings be listed as starting at 7:45 PM. This would enable the Planning Commission to work through them in order without needing to wait if one is finished before another is scheduled start.
4. **Beuckers Conditional Use Permits** – Brian & Melissa Bueckers appeared to request two Conditional Use Permits – one to complete a standard plat in the Conservation Design Overlay area and the other to construct a residence more than 150 feet from the existing structure on the property. They will also require a preliminary plat signed by the Township. The property is in a Land Management Area in the MPCA closed landfill program. The Bueckers have 18 acres and plan to split five including the original home to sell to their son. Gondringer moved to recommend to the Supervisors to set a public hearing at 7:45 PM on March 25, 2015 to consider a request by Brian & Melissa Bueckers for a Conditional Use Permit to construct a home further than 150 feet from the existing structure on the property and for a Conditional Use Permit to complete a standard plat in the Conservation Design Overlay district.
5. **Noise & Large Vehicle Parking Ordinances** – The Township will continue to investigate ordinances to minimize disruptions to residential neighborhoods. The Clerk will contact the City to see if they have a noise ordinance.

Other & Old Business: *none*

Announcements/Reports: *none*

1. **Fire Board Meeting** – Bresnahan provided an update on the recent meeting. Among the issues discussed were establishing a Joint Powers agreement for approval of costs over \$300,000, wages for new fire fighters, and the Fire Relief Fund. A new brush rig was purchased. There were 67 calls in the Township – 15 fire and the rest medical.

2. **Road Funding** – Treasurer Martini and Supervisors Merdan and Nelson met with Representative Howe to discuss road funding for Norway Road.
3. **Joint Powers Meeting** – There will be a City of Avon / Avon Township Joint Powers board meeting tomorrow. Among the items of discussion will be extending the agreement.
4. **Exhibition** – There is currently a exhibit of photographs by Paul Wegner in the Town Hall. The photographs document the land and people of the Avon Hills.

Adjournment: Kremers moved to adjourn the meeting at about 9:50 PM. Huston second. All in favor. Motion carried.

Next Meeting: The next meeting is March 25, 2015 at 7:30 PM.

Respectfully submitted,
Stephen G. Saupe, Clerk

Approval:

Ken Mergen, Chair

Date

Attest:

Date