

Minutes of the Meeting of the Avon Township Planning Commission

February 22, 2017

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chairman Huston 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: The Pledge of Allegiance was recited.

Roll Call: Present – LeRoy Gondringer, Will Huston, Ken Mergen, and Stephen Saupe. Absent – Gerry Kremers. Also in attendance: Richard Bresnahan.

Approval of Agenda: A report on the recent Fire Board meeting was added to the agenda. Gondringer moved to approve the agenda as amended. Mergen second. All in favor. Motion carried.

Minutes: Mergen moved to approve the minutes from the January 25, 2017 meeting as presented. Gondringer second. All in favor. Motion carried.

Public Hearings: Knife River Asphalt Plant. At 7:50 PM Chair Huston opened a public hearing for Knife River to consider a request to renew their Interim Use Permit for an asphalt plant at the Pierskalla/Ramler gravel mine site. Ms. Holly Brisk, Knife River, was present to answer questions. Ms. Brisk stated that they wanted to start up about May 1 and that plant maintenance would begin about April 1. They expect to work at the site for about 30 days. They were awarded several jobs from Stearns County including pieces of Co Rd 3, Co Rd 130, Co Rd 16, 1st Ave SE, Co Rd 155, Co Rd 153 and Co Rd 30. They would like to extend their asphalt permit through 2018 when they plan to close up the pit. The mine material is nearly exhausted so they don't plan further mining on the site. They will use the material that has already been processed on the site and will also haul material from other sites to meet the mix design.

Notices about the hearing were posted, published, and mailed to more than two-dozen neighbors. One neighbor, Ms. Lori Yurczek, questioned the need for the early start to operations and stated that once the material is gone, she recommends the plant should be removed from the site. In the past, it was stated that neighbors preferred an earlier start. Ms. Brisk responded that shortening the hours would require an increased number of days of operation. Mr. Richard Bresnahan asked about the time frame for reclamation. Ms. Brisk replied that the mine permit ends in 2018 and there is one-year window to reclaim the pit. No other comments were received from the public. Gondringer moved to close the public hearing. Mergen second. All in favor. Motion carried.

The Findings of Facts showed that the Interim Use Permit: (1) is consistent with existing Township ordinances (4.18, 5.15, 9.36a) and with the previous permit with the stated conditions; (2) must meet the stated conditions and applicable county, state and federal requirements; (3) is compatible with present land use in the area and is not visible from the road or nearby areas; (4) is screened by existing gravel piles and that it sits low in the pit; (5) environmental issues are addressed by PCA and County regulations and that a plan is in place to handle environmental issues; (6) will likely lower property values, but it is inevitable; (7) will generate excess traffic but this hasn't been a problem to date and the conditions imposed on the permit should protect the safety of travelers and area residents; (8) will result in some noise and traffic, though the conditions on the permit should mitigate the effects; (9) conforms to the goals/objectives of the township comprehensive plan in that natural resources are being used for everyone's benefit and a reclamation plan is in place; (10) will protect Town roads because hauling will not be permitted and the road will be resurfaced by the County this year; (11) a

reclamation bond and financial assurance has been provided; (12) this is an extension of the 2016 asphalt plant permit with conditions.

Mergen moved to recommend to the Supervisors the renewal of the Interim Use Permit to Knife River for operation of an asphalt plant with the following conditions: (1) Permit will be for the 2017 construction season; (2) Hours of operation are from 6:00 AM to 6:30 PM with a generator startup not earlier than 5:30 AM, and with all trucks returned to the location by 9:00 PM; (3) Days allowed for operation will be restricted to Monday through Friday with no weekend or holiday hours; (4) No truck hauling, to or from the site, will take place on Township roads; (5) The entrance will be signed according to Stearns County regulations; (6) Traffic signs will be placed as per MNDOT and Stearns County requirements for truck hauling; (7) Postcards will be sent out one week prior to the beginning of operations; (8) Avon Township officials reserve the right to access the property for the purposes of determining compliance of the Interim Use Permit, after providing Knife River personnel proper identification and notification; (9) Knife River will make available to Board members and Avon residents, a tour of the facility upon request; (10) Portable satellites will be provided for employees. Trash will be collected and contained in a suitable receptacle and hauled offsite to an appropriate disposal area; (11) All equipment and waste must be removed from the site at the completion; (12) The operation must comply with all pertinent Township, County and State regulations; (13) A financial bond of \$5000 will be maintained; (14) Noise, air emissions, storm water, and other environmental considerations must comply with EPA, MPCA and other regulatory requirements; and (15) Avon Township officials reserve the right to access the site for an inspection in June 2018 before the site reclamation begins and also after site reclamation is completed. Gondringer second. All in favor. Motion carried.

Scheduled Business:

- 1. Hanson Certificate of Compliance** – Scott Hanson appeared to request a certificate of compliance for a land split on his property at 35561 Co Rd 155. He stated Stearns County Environmental Services has no problem with the proposal. The new lot will not have a building credit. There will be a 40-foot wide access which was recommended by the surveyor. Gondringer moved to recommend to the Supervisors to approve a Certificate of Compliance for Scott & Charmaine Hanson. Mergen second. All in favor. Motion carried.
- 2. Caspers Plat** – Ms. Kay Caspers (17470 Marsh Lane) appeared to inquire about a plat review. She will divide her property into two parcels. The drawings and septic plans are being prepared. Stearns County approved a variance for a Conditional Use Permit for a Conventional Subdivision in the Avon Hills Environmental Overlay District. The hearing was held at the County because the proposal involves lakeshore. There are no building entitlements remaining on the split parcel. It is not part of the City/Town growth area so it is not a Joint Planning Commission issue. Mergen moved to recommend to the Supervisors approval of the preliminary plat concept presented by Ms. Kaylene Caspers and recommends signing the preliminary plat when it is completed, contingent on Supervisor approval. Gondringer second. Mergen second. All in favor. Motion carried.
- 3. THK Bicycle Race** – Mr. Jeff Bauerly submitted an application to host a bicycle race on Town Roads (Tower Road and 360th St) on April 15, 2017. The race will also use County Road 9. The County has already approved the request to use their roads. The organizers are requesting a race length that is 1.5 hours longer than the standard (6 vs. 7.5 hours). Huston moved to recommend to the Supervisors approval of the THK Bicycle Race application on the condition that the route is posted 24 hour prior to the race at a minimum at the end of Co Rd 9 and Tower Rd. Gondringer second. All in favor. Motion carried.
- 4. Form Revision** – was tabled until a later meeting.

- 5. **Election Emergency Planning** – a draft of an Election Emergency Plan was discussed. Gondringer moved to recommend to the Supervisors approval of the emergency plan. Mergen second. All in favor. Motion carried.
- 6. **Terms of Appointment** – Gondringer: 2015-2018; Huston: 2014-2017; Kremers: 2015-2018; Mergen: 2016-2019; Saupe: 2014-2017. Huston and Saupe are willing to be considered for reappointment.
- 7. **Fire Board Report** – Supervisor Bresnahan reported on the recent Fire Board meeting. The Township payment for 2018 will be slightly lower because the number of calls in the Town decreased this past year. The #1 Pumper Truck goes off depreciation and will ultimately need to be replaced.
- 8. **Joint Powers Board** – the annual meeting date is designated as the second Monday in April. Currently there is no business.

Other & Old Business: none

Announcements/Reports: none

- 1. No additional announcements or reports

Adjournment: Mergen moved to adjourn the meeting at 9:10 PM. Huston second. All in favor. Motion carried.

Next Meeting: The next meeting is March 29, 2017 at 7:30 PM.

Respectfully submitted,
Stephen G. Saupe Clerk

Clerk signature: _____ date: _____

Approval:

Planning Commission Chair – Will Huston

date