

Minutes of the Meeting of the Avon Township Planning Commission

July 26, 2017

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chairman LeRoy Gondringer 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: Deputy Clerk Gondringer led the Pledge of Allegiance.

Roll Call: Present – Ken Mergen, LeRoy Gondringer, Gerry Kremers and Deputy Clerk Marion Gondringer. Absent: Clerk, Steve Saupe. Also present – Mike Linn.

Approval of Agenda: Addition: elect a Planning Commission Vice-Chair. Mergen moved to approve the agenda as amended. Kremers second. All in favor. Motion carried.

Minutes: Mergen moved to approve the minutes of the June 28, 2016 meeting. Kremers second. All in favor. Motion carried.

Public Hearings: Scepianiak Variance Hearing: Chairman Gondringer opened the hearing at 7:43 PM. Variance request includes placing a garage closer to the road than allowed by Stearns County Ordinance 439. Garage will line up with the adjacent neighbors. A neighbor across the road from the Scepianiak property (Jean Studinski) expressed a concern for the possibility of their view of the lake being blocked, and shared photos. Using the photos provided, Scepianiak explained how the placement of the garage will affect the view of the property owner. Brad Becker also expressed his opinion that as long as the property owner follows the law, he/she should be able to use their property without worrying about how it affects the view of another property owner. Motion by Mergen to close the Public Hearing. Second by Kremers. All in favor. Motion carried.

After processing through the Findings of the Facts, Gondringer moved to recommend approval of the Variance for Jacob Scepianiak to build a garage 44 feet from the center of the road. Second by Kremers. All in favor. Motion carried.

Scheduled Business:

1. **Certificate of Compliance – John Meagher ie: Jim Raab property** – Certificate of Compliance would allow the 200 acre property to be split into 5 parcels by administrative subdivision. Motion by Mergen to recommend approval of the Certificate of Compliance. Second by Kremers. All in favor. Motion carried.
2. **David Braegelmann** – requests driveway permits for two locations on his property, and widening of an existing field driveway. Braegelmann will be renting his farm property and the additional accesses will be for the use by the renter since the current access is through the farm yard. Motion by Mergen to recommend approval of driveway permitting for the Braegelmann property. Second by Kremers. Mergen and Kremers in favor. Motion carried. Gondringer abstained.
3. **Cathy Reis: Driveway damage deposit** return request. Koopmeiners has inspected the driveway and found it to be well done.
4. **Excess Vehicle Complaints on Plum Hill Lane**, (vehicles, and motor home) the Shepherd property; Neighbor Mary Ann Tourres reports that this property has an excessive number of vehicles parked around the property and a large motor home which she believes is now being inhabited. Tourres provided a copy of the covenant that governs this subdivision.

Tourres reports that this property owner is not in compliance with the covenant since it restricts the amount of vehicles allowed in the yard. Neighbor Duane Spanier also expressed disapproval of the presence of the multiple cars and other items in the yard. Gondringer explained that the Township cannot enforce a covenant drafted by the developer of a subdivision. A Homeowners’ Association, if one exists, would be in control of the enforcement. However, as per Stearns County ordinance, the County does maintain that a motor home is not a resident and cannot be inhabited, no resident is allowed to reside in a motor home. Saupe has contacted the County to alert them to the possible mobile home residence on the property. The board will recommend to the board that a letter be drafted to the County requesting an inquiry into the vehicles in the yard, and the possibility of the motor home being used as a residence.

- 5. **County handling CUP/IUP’s** – discussion took place as to the pros and cons of allowing the County to take over the issuing of CUP’s and IUP’s. Because the County has full-time staff who deals with the details of these permits, and their processes have become intensely complicated, it was felt that the County can be more efficient at the process. If the County were handling these permits, the public would then need to only go to the County for the process, instead of having to go through the Township for pieces of the process. This would simplify the process for Town residents. Motion by Gondringer to recommend to the Supervisors to have someone from the County come to a Planning Commission meeting to explain the process for CUP and IUP’s by the County and how this would impact the Township, the County, and the residents of Avon Township. Second by Mergen. Gondringer and Mergen in favor. Kremers opposed. Motion carried.
- 6. **Enterprise column ideas:** Avon compost site, Planning Board Member recruitment.

Other Business:

- 1. Mergen nominated Gerry Kremers to serve as Vice Chair of the Planning Commission. Second by Gondringer. All in favor. Motion carried. Kremers abstained.
- 2. Brad Becker expressed a desire to split his property on Pelican Lake Road. Surrounding property owners have expressed an interest in purchasing portions of the property. He was instructed as to how to begin this process.

1. Announcements/Reports:

- 2. Announcement of next meeting: *August 30, 2017 at 7:30 PM*
- 3. Announcement of *Joint Planning Board Meeting, August 14, 7:00 PM, Town Hall*

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

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

Respectfully submitted,
Marion Gondringer, Deputy Clerk

Attest: signature: _____ date: _____

Approval:

Signature: _____ date _____

Print name: _____