

Minutes of the Avon Township Planning Commission Meeting

February 27, 2019

Avon Township Hall (16881 Queens Road, Avon)

Call to order: Chair Ken Mergen called to order the meeting of the Avon Township Planning Commission at 7:00 PM in the Main Chamber of the Town Hall.

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Ken Mergen, Sheldon Tschida and Will Huston. Absent – Stephen Saupe, Also present – Marion Gondringer

Approval of Agenda: Motion to approve agenda by Tschida. Second by Mergen. All in favor. Motion carried.

Approval of Minutes: – Motion by Huston to approve the November 2018 minutes. Second by Tschida. All in favor. Motion carried. No December or January minutes. (December meeting was cancelled due to conflict with the Holiday; January meeting was cancelled because of extreme cold weather.)

Public Hearings: *none scheduled*

Business

Dave Braegelmann CUP: David and Linda Braegelmann request a Conditional Use Permit for a Conventional Subdivision in the Avon Hills Conservation Area to split their land into two parcels. (19368 Quaker Rd, Avon, Parcel #03.00917.0002) Intention is for one parcel to be retained by Braegelmann, the second parcel to be sold to a daughter. Motion by Mergen to recommend setting a public hearing at 7:05 PM at the next Planning Commission meeting. Second by Huston. All in favor. Motion approved.

Bike Race application: Minnesota Senior Games Cycling Event A permit is requested by Dana Randt on behalf of the Minnesota Senior Games for a bike race to be held on Thursday, August 1st, 2019. The route proposed would begin at the Avon Elementary school parking lot heading South on Co Rd 9, West onto Co Rd 54, North onto Tower Road, East onto 360th St., and South onto Co Rd 9 then returning to Avon. Randt estimated about 50-60 participants. Race times would be 10:00 AM and 1:00 PM. Law enforcement on Co. Rd. 9 and 360th Street, as well as appropriate signage would be in place. Huston requests notification of residents on the route of the event by the race committee. Motion by Huston to recommend granting of the permit, with the requirement that signage and notification of the residents on the route, take place a week in advance. Second by Tschida. All in favor. Motion carried. Race will be observed for effectiveness of these requirements.

Schneider building credit transfer: Sheryl Schneider requests a building credit transfer from her property in Lake Henry Township. She stated that the transferring township, Lake Henry, has agreed to transfer the building credit if Avon Township is willing to accept the transfer. Transfer would be based on 9.3.7 C & D of County Ordinance 439. Motion by Huston to recommend approval of the building credit transfer from her Lake Henry property (parcel # 16.08647.000) located at 35269 Cty. Rd. 32, Belgrade, MN, to her Avon Township land (parcel#03.014654.000) located at 16898 Queens Rd., Avon, MN. Second by Tschida. Motion carried on a 2 to 1 vote. Schneider requests to be on the agenda for April 3 Supervisor meeting.

Rezoning request / Joan Burrows: Joan Burrows requests re-zoning of an A-40, 23 acre parcel of land (parcel # 03.00832.0000, at 36856 Co Rd 9, Avon, MN) to an R-5 district. Her intention is to create two five acre parcels, and a 13 acre parcel, with the homestead and the cultivatable land remaining in the larger parcel. Land would be platted at a later date. Land accesses off of 370th Street and is contiguous with other R-5 land in the area. Motion by Huston to recommend approval of re-zoning Joan Burrows A-40 parcel #03.00832.0000 to an R-5 district. Second by Tschida. All in favor. Motion carried.

Discussion took place concerning where the St. Anna growth area is located and what would be involved in adding this land to the growth area already present in the area.

Certificate of Compliance – Lochnikar/Schirmers - land split request – Kevin Lochnikar (18832 Quaker Rd, Avon, Parcel #03.00914.0000) and Dennis & James Schirmers (19004 Quaker Rd, Avon, Parcel #

03.00915.0000) request a Certificate of Compliance allowing the transfer of two small parcels of land by Quit Claim Deed for the purpose of clarifying and correcting the boundary line descriptions of both properties. The transfer would eliminate a small area of land that is not labeled, and would trade one track running East/West between the properties, with a small area of land on the East side. Motion by Mergen to recommend approval for the Certificate of Compliance for the transfer as requested. Second by Huston. All in favor. Motion carried.

Certificate of Compliance – Blattner ACME: Blattner ACME requests a Certificate of Compliance to split a parcel of land (Parcel #03.01110.0000) (164.1 acres) which is separated into two areas by Co. Rd. 50. Request is to split the land into one non-buildable parcel (Tract B), and a second parcel which will retain the 4 current building credits on the parcel (Tract A). A conditional use permit is not required because the land is being restricted as a non-buildable parcel. Motion by Mergen to recommend approval of the Certificate of Compliance to split the land into two parcels with Tract A retaining the building credits, and Tract B restricted as non-buildable. Second by Huston. All in favor. Motion carried.

Tschida Variance: Aaron Tschida requests a Variance to build a 30' X 36' building located closer to the road than allowed by ordinance (Parcel # 03.01474.0009). The location of the septic system and drain field restricts the location of the building since locating the building farther back would require the location of the driveway directly over the drain field. Motion by Mergen to set a Public Hearing for the March Planning Commission, Meeting on March 27, 2019, at 7:06 PM, for a variance to build a building closer to the road than allowed by the ordinance. Second by Sheldon Tschida. All in favor. Motion carried. Aaron Tschida will bring a completed application to the supervisor meeting.

FastSun Solar: (Gertken Site) The previously extended permit expires in July of 2018. Discussion took place concerning the vegetation plan that was approved.

Road Maintenance plan (road condition, repair needs, cost projections, levy consideration, roads to vacate, etc.) Mergen requests adding this to the March meeting agenda.

Other Business:

Update on Stearns County Comprehensive Plan. LeRoy Gondringer reports that the county has allocated \$250,000 to rewrite the Comprehensive Plan for the county. Stearns County Townships will have input in areas of concerns for their Townships. Gondringer recommends Avon Township revisit the Avon Township Comprehensive Plan as well as the County Plan during this time. Discussions included the revisal of the various growth areas of Avon Township

Old Business

Norway Road: and I-94 road detour use - Huston discussed MNdot requirements which will apply with the resurfacing of Norway Road. Some width has been added to the road creating a concern for sloping along the road around existing culverts, plus there will be additional storm water treatment requirements that will include ditch checks. Three years ago this road was estimated to cost \$350,000; current estimate is \$800,000. The road grant we were awarded is valued at around 700,000. Huston questioned whether we have road certificates for the 66' road right-of-way. It was thought that the county would have possession of those certificates. MNdot has designated Norway Rd as the summer of 2019 detour during the I-94 / St. John's bridge repair.

Enterprise column ideas – Residents leaving garbage cans in the roadway are proving to be a snow plowing challenge. Levy awareness.

Tony Ebnet driveway: An after-the-fact driveway application was reviewed for a driveway installed without a permit at the property of Tony Ebnet at 18424 Red Maple Drive, Avon. Approval of the permit is viewed as being contingent on removal of the unpermitted parking lot along the road. Motion by Huston to recommend approval of the permit to allow the 29' driveway, contingent on the removal of the parking area alongside the roadway. Second by Mergen. All in favor. Motion carried.

Reports/Announcements

Axel Theimer – Nutcracker Lane – Was issued a permit to install solar panels on his house.
County Noxious Weed Meeting – April 3
MAT Short Courses available – March 18 – April 5

Announcement of next meeting: March 27, 2019 at 7:00 PM

Other Upcoming Meetings: March 12, 2019 - *Annual Meeting*, 8:30 PM,
March 20, 2019 - *Qualification and Organizational meeting*, 7:00 PM

Adjourn: Motion by Huston to adjourn at 9:57 PM. Second by Tschida. All in favor. Motion carried.

Respectfully submitted,
Marion Gondringer Deputy Clerk

Signature: _____

date: _____

Approval:

Planning Commission Chair – signature

date: _____