

Minutes of the Meeting of the Avon Township Planning Commission

June 26, 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 – LeRoy Gondringer, Ken Mergen, Stephen Saupe, and Sheldon Tschida. Absent – Will Huston. Also present: Mike Linn

Approval of Agenda: Added to the agenda were a consideration of a Certificate of Compliance for Adam Preusser and a building permit for T-Mobile. Items 7 e & f were moved to Other Business. Tschida moved to approve the agenda as amended. Mergen second. All in favor. Motion carried.

Minutes: Mergen moved to approve the minutes from the May 29, 2019 meeting as presented. Tschida second. All in favor. Motion carried.

Public Hearings: *none scheduled*

Business:

1. **Oath of Office** – The Planning Commission welcomed Mr. LeRoy Gondringer as a new member. The Supervisors appointed Gondringer because the Town is beginning a review of the Comprehensive Plan and he has considerable experience in this area. Gondringer recited and signed the oath of office.
2. **Election of Chair & Vice-Chair** – Mergen nominated Gondringer to serve as Chair. Tschida second. Three in favor. One opposed (LG). Motion carried. Gondringer nominated Mergen to serve as Vice-Chair. Saupe second. Three in favor. One opposed (KM). Motion carried.
3. **Preusser Certificate of Compliance** – Mr. Adam Preusser appeared to request a Certificate of Compliance to attach to his property a one-acre parcel he is purchasing from a neighbor. The parcel will be used to straighten his driveway near his residence. After discussion, Mergen moved to recommend to the Supervisors approval of a Certificate of Compliance for Mr. Adam Preusser. Tschida second. All in favor. Motion carried. Mr. Preusser was notified that if the driveway work affects the township road (360th St) that he would also require a driveway permit.
4. **Blonigen Septic System** – Mr. Craig Blonigen appeared to request permission to place a portion of a septic tank in the road right-of-way (ROW) at his property on 18732 368th Street. On October 4, 2018, Mr. Blonigen signed an encroachment agreement with the Town that permitted him to install a drainfield in the ROW. However, during the installation the contractor installed the tank perpendicular to the direction specified in the original plan, which resulted in the tank extending several feet into the ROW. To be in compliance, Mr. Blonigen will either need to move the tank out of the road ROW or a new agreement needs to be recorded to allow the tank to stay in its current location. This road is privately maintained; the Town will not likely be involved in its maintenance. Saupe moved to recommend to the Supervisors to write and record a new encroachment agreement to reflect the current position of the septic tanks and that the applicant pays any associated costs with drafting the agreement. Mergen second. All in favor. Motion carried.

5. **Tomsche/Bauer Building Credit Transfer** – Mr. Thomas Tomsche and Mr. Gary Tomsche appeared to request transferring a residential development right (building credit) from a parcel in Albany Township (01.00096.0005) to an adjacent one in Avon Township (03.00809.0000). They stated that there would be only one building credit on the parcel. Albany Township approved a variance to permit this transfer. Seventeen acres would be restricted in Albany Township. Tschida moved to recommend to the Supervisors approval of the transfer of a single building credit from parcel 01.00096.0005 in Albany Township to the property (03.0089.0000) in Avon Township. Mergen second. All in favor. Motion carried.

6. **Township Signature on Building Permits** – Avon Township Construction Site Permits (CSP) are obtained through Stearns County Environmental Services. CSP's for residents who live in non-lakeshore areas require a Township signature. In contrast, the County oversees all aspects of CSP's in lakeshore areas so no Town signature is necessary. As a result, some residents require a Town signature on a CSP while other residents do not. Because signing the permits is time-consuming and an extra step for both residents and the Township, the Planning Commission discussed whether there is a need for a Town signature on CSP's. This policy of requiring a Town signature was instituted to insure that residents would get a driveway permit when it was required. Saupe moved to recommend to the Supervisors to stop requiring a Township signature on CSP's but to send a letter to recipients alerting them to obtain a driveway permit if necessary. Tschida second. All in favor. Motion carried.

7. **Review of the Town Comprehensive Plan and Growth Plan** – The County has requested that the Township provide a review and update of the Land Use Plan Map by July 19th. Since the original map was done very carefully and because the Township has initiated but not completed the process to examine the Comprehensive plan and Land Use Map, Mergen moved to recommend to the Supervisors to tell the County that there will be no changes to the Land Use Plan. Motion failed for lack of a second. Saupe moved to recommend to the Supervisors to tell the County that we don't anticipate any changes to the Land Use Plan but won't know for certain until we complete a review of our Comprehensive Plan, which is underway. Tschida second. Three in favor. One opposed (KM). Motion carried.

Copies of the 1989 Comprehensive Plan were distributed to board members. A copy of the 2003 growth plan review was also available. The Board discussed how to proceed with the review. It might be necessary/advisable to hold a Special Meeting for residents to provide input into the proposed plan. It may also be necessary to involve our Township Attorney. The discussion focused on the introductory chapters (1 – 4; pp 1 – 25), which is largely background information. Though opinions varied, there was agreement that this section could be reduced to a few pages. The Clerk will provide a draft. Subsequent meetings will examine the goals/recommendations in the remaining chapters. The next meeting will focus on Chapter 5 (agriculture).

8. **Enterprise Contributions** – construction site and driveway permits were suggested.

Old Business: Peach Drive; road maintenance plan

Announcements/Reports:

1. **T-Mobile Cell Tower** – work is being done on the tower on Tower Road. The Clerk will sign the building permit.

2. The County will hold a public hearing on June 27th to consider a request by Kelly Skalicky for a variance to construct a deck closer to the lake than is currently permitted.

Adjournment: Mergen moved to adjourn the meeting at 9:26 PM. Tschida second. All in favor. Motion carried.

Next Meeting: The next meeting is July 31, 2019 at 7:00 PM.

Other Meetings: *none scheduled*

Respectfully submitted,
Stephen G. Saupe Clerk

Signature: _____ date: _____

Approval:

_____ date: _____
Planning Commission Chair – signature

Planning Commission Chair – print