

Minutes of the Meeting of the Avon Township Planning Commission

July 29, 2020

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chair LeRoy Gondringer called to order the meeting of the Avon Township Planning Commission at 7:00 PM in the Main Chamber of the Town Hall. Gondringer announced that masks are required as per the Governor's Executive Order 20 – 81; though it can be removed temporarily if speaking.

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – LeRoy Gondringer, Ken Mergen, Kamela Mohs, Rich Sanoski, and Stephen Saupe.

Approval of Agenda: A driveway permit (Morgan Sand) and discussion of CARES was added to the agenda. Mergen moved to approve the agenda as amended. Sanoski second. All in favor. Motion carried.

Minutes: Sanoski moved to approve the minutes from the June 24, 2020 meeting as presented. Mohs second. All in favor. Motion carried. A correction to the May minutes was not discussed.

Public Hearings:

Ward Variance Hearing – at 7:15 PM, Gondringer opened a public hearing for Mr. Edward Ward who requested a variance to place a seasonal travel trailer closer to the road than is currently permitted by ordinance at his property on 17731 Upper Spunk Lake Road, Avon (MN). He removed the existing cabin and will replace it with a trailer. The exiting concrete slab will remain and retrofitted utilities will be hooked up. He stated the septic system has been updated. The proposed trailer will be smaller and further from the road than the existing structure. Letters regarding this hearing were sent to 26 neighbors, published in the *Star-Post*, and posted. No public comments were received. Mergen moved to close the public hearing. Mohs second. All in favor. Motion carried. The Board considered the Findings of Facts and unanimously concluded that the variance: is allowed in the zoning district, is in harmony with the general purpose and intent of the applicable ordinance, is consistent with the comprehensive plan, will allow the owner to use the property in a reasonable manner, is due to circumstances unique to the property, will not alter the character of the locality, and involves more than hardship. Mergen moved to recommend to the Supervisors to approve a variance from Section 9.9, Avon Township Ordinance #4, for Mr. Edward Ward to place a travel trailer on his property at 17731 Upper Spunk Lane on the existing foundation, no closer to the road than the existing foundation. Mohs second. All in favor. Motion carried.

Beckmann Variance Hearing– at 7:35 PM, Gondringer opened a public hearing for Alexander and Kayla Beckmann who requested a variance to construct a shed closer to the road than is currently permitted by Avon Township Ordinance #4, Section 9.3, on their property at 32679 Nutcracker Lane, St. Joseph (MN), PID 03.01126.0010. Letters regarding this hearing were sent to 24 neighbors, published in the *Star-Post*, and posted. No public comments were received. Sanoski moved to close the public hearing. Mohs second. All in favor. Motion carried. The Board considered the Findings of Facts and concluded that the variance: is allowed in the zoning district, is in harmony with the general purpose and intent of the applicable ordinance, is consistent with the comprehensive plan, will allow the owner to use the property in a reasonable manner, is due to circumstances unique to the property, will not alter the character of the locality, and involves more than hardship. Mohs moved to recommend to the Supervisors to approve a variance from Section 9.3, Avon Township Ordinance #4, for Alexander and Kayla Beckmann to construct a shed no closer than 44 feet from the center-of-the-road (Nutcracker Drive). Mergen second. All in favor. Motion carried.

Ramler Variance Hearing – at 8:05 PM, Gondringer opened a public hearing for Christopher and Amy Ramler

who requested a variance to construct a 30 x 40 shed on their property at 36903 Pelican Lake Road, Albany (MN), PID 03.01347.0100, that would be 8 feet closer to the road than is currently permitted by Township Ordinance #4, Section 9.9. Letters regarding this hearing were sent to 29 neighbors, published in the *Star-Post*, and posted. An email was received from Myron & Sue Belford in support of the request. Mr. Ed Fuchs attended the hearing and stated that he was also in support. Sanoski moved to close the public hearing. Mergen second. All in favor. Motion carried. The Board considered the Findings of Facts and concluded that the variance: is allowed in the zoning district, is in harmony with the general purpose and intent of the applicable ordinance, is consistent with the comprehensive plan, will allow the owner to use the property in a reasonable manner, is due to circumstances unique to the property, will not alter the character of the locality, and involves more than hardship. Sanoski moved to recommend to the Supervisors to approve a variance from Section 9.9, Avon Township Ordinance #4, for Christopher and Amy Ramler to construct a shed 8 feet closer to the road. Mohs second. All in favor. Motion carried.

Business:

1. **Sand Driveway Permit** – Mr. Morgan Sand appeared to request an approach/driveway permit for his property at 35063 County Road 155. He has a driveway off Co Rd 155 but requests a field approach from Queens Road to get machinery into the field. The area is wet and will likely need a culvert and aprons. Mergen moved to recommend approval of a driveway permit to Morgan Sand for a field approach from Queens Road to his property at 35063 Co Rd 155 contingent on an inspection by our Maintenance worker. Sanoski second. All in favor. Motion carried.
2. **CARES Funding** – The Planning Commission agreed that it would be a good opportunity to obtain funding for COVID-19 related expenses including masks, hand sanitizer, computers for Supervisors to participate in Zoom meetings, and so on.
3. **Red Maple Drive** – a complaint was received about vehicles, including junk cars and campers, parked on private property, along the south side of the road (opposite the lake). Because the road is not centered in the right-of-way, it is not clear exactly where vehicles are parking and how the Town should proceed. It was suggested that the Town should seek advice from either the Town or MAT attorney.
4. **Utility Work Resolution** – A draft resolution outlining a policy for utility work in Township road right-of-ways was discussed. The policy would require a representative from the utility to attend a Supervisor's or Planning Commission meeting prior to beginning the work, and to provide a written summary and maps. After considerable discussion of the resolution, both in favor (provides the Town with control over work) and opposed (already regulated by State statute, would be difficult to enforce), Mergen moved to recommend to the Supervisors to approve Resolution 08-05-20: Avon Township Policy for Utility Work in the Road Right-of-Way. Second by Mohs. Two in favor (Mergen, Sanoski). Three opposed (Gondringer, Mohs, Saupe). Motion failed.
5. **Road Maintenance Plan** – Road inspection will occur next week. Once complete, the Planning Commission can begin this process.

Old Business: To be considered at a future meeting: Comprehensive Plan; Vacating Peach Drive N.

Announcements/Reports:

1. **Kasner Acres** – Gondringer reported that Mr. Dave Braegelmann will not pursue final plat approval with the County.

- 2. **Nierenhausen Hearing** – the County approved their request for a variance from the side-yard setback rules.
- 3. **County Comprehensive Plan** – Gondringer reported that the Commissioners have approved the plan. The next step is to review the 439 Ordinance to align it with the Plan.

Adjournment: Mohs moved to adjourn the meeting at 8:57 PM. Mergen second. All in favor. Motion carried.

Other Meetings: The next PC meeting is August 26,2020 at 7:00 PM. Road Inspection will be Monday, August 3, 2020; the Supervisor’s July meeting is September 3rd; and the Primary Election will be August 11th.

Respectfully submitted,
Stephen G. Saupe, Clerk

Signature: _____

date: July 31, 2020

Approval:

LeRoy Gondringer, Planning Commission Chair – signature

date: _____