

Minutes of the Meeting of the Avon Township Planning Commission

November 29, 2023

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chair Lori Yurczyk called to order the meeting of the Avon Township Planning Commission (PC) at about 7:05 PM in the Main Chamber of the Town Hall. The meeting was also available via Zoom at the following URL: <https://us02web.zoom.us/j/8325486945> (PIN: AvonTown). The meeting started a little late due to technical difficulties in setting up Zoom to work with a personal hotspot because the Town Hall internet was not working.

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Craig Blonigen, Rich Sanoski, Stephen Saupe, Andrew Wensmann, and Lori Yurczyk (*Chair*). Also present: LeRoy Gondringer, Kelly Martini

Approval of Agenda: Mr. Dan Gohman, Enterprise Energy, was added to the agenda. Sanoski moved to approve the agenda as amended. Blonigen second. All in favor. Motion carried.

Minutes: Sanoski moved to approve the minutes from the October 25, 2023 meeting with the correction of a typo (meeting → meet). Blonigen second. All in favor. Motion carried. Sanoski moved to approve the minutes from the November 13, 2023 Special Meeting as presented. Blonigen second. All in favor. Motion carried.

Public Hearings: *none scheduled*

Public Comments: *none*

Business:

1. **Community Solar Ordinance** – Mr. Dan Gorman, Enterprise Energy (Minneapolis), appeared via phone to provide information to the PC concerning community solar projects and to recommend to the Township to adopt an ordinance that would address concerns about solar projects without the need for a ban. An ordinance could decrease the visual impact and preserve the rural character using screening and setbacks. Mr. Gorman stated that among the advantages of solar energy are decarbonizing our energy supply and providing an understory of native vegetative that would be friendly toward native species (*i.e.*, monarch butterflies) which do not rely on fertilizers that could potentially contaminate drinking water. Although large solar projects pay a tax to Townships, he said smaller community gardens can provide indirect financial benefits by alleviating the need for infrastructure (*i.e.*, water, sewer) and school busing to the area. He stated that the major complaint about community solar is having to look at it, which can be mitigated by adequate screening and setbacks. He stated that community solar is a low impact development and he volunteered to help draft a community solar ordinance.

In response to questions, Mr. Gorman replied: (a) There are models for an ordinance at the state and local levels; (b) Communities can restrict where community solar can be located, and can include other restrictions (*i.e.*, time of day of construction, protecting roads during construction); (c) He is not aware of any problems with decommissioning projects in Minnesota; (d) Even at the end of the 35 -years lifecycle for the panels, it is unlikely a project would be completely discarded. The lease would likely be renewed and the panels would be replaced since the infrastructure remains and is the largest share of the cost (80%); (e) At this time, only 4 MW of community would be possible in Avon based on the Xcel substation capacity, though it is possible that Xcel could upgrade the substation in the future; but it would likely not

be profitable for the solar company to pay for the upgrade; (f) None of his projects have been decommissioned in MN because his company is relatively new; (g) Projects are bonded so there is sufficient money available for decommissioning; (h) He did not know how many projects that have been decommissioned in MN or that have replaced panels on existing infrastructure.

2. **Beckmann Variance Request** – Alexander & Kayla Beckmann, 32679 Nutcracker Lane (St. Joseph) have requested an extension of the variance that they received August 5, 2020. The variance expired more than two years ago. The Beckmann's did not appear at tonight's meeting. The PC discussed this situation. Though it appears little has changed since 2020 and the Beckmann's were unaware that there was an expiration date, approving this request would set a precedent for future requests. Wensmann moved to recommend to the Supervisors that the Beckmann's restart the variance process to consider their request to construct a 75 x 100 shed no closer than 44 feet to the center-of-the-road, and to set a public hearing for this variance on December 27, 2023 at 7:15 PM. The Clerk will follow up with the Beckmann's to determine if they want to pursue the variance and begin the process in December.
3. **Field Approach on 360th** – There was a request to improve the approach to a field off 360th E. of Co Rd 155 (PID 03.00873.0000). Yurczyk noted that the approach hasn't been used for some time, but still exists. The PC discussed several items related to this situation including: (a) the approach would be in the road right-of-way and also appears to cross property owned by two landowners; (b) the approach could perhaps be converted into a cul-de-sac where the snowplow could turn around; (c) whether a field approach requires the same handling as a driveway permit; and (d) whether there should be separate rules for a field approach including width (*i.e.*, wider than 24 feet); (e) whether a driveway or other permit is actually required in this situation since this is an existing approach; (f) when a damage deposit should be returned for a new driveway (*i.e.*, after driveway completion or after completion of the residence); and (g) how to define a driveway. Blonigen moved to recommend to the Supervisors to review the driveway permitting process and include dialogue relative to field approaches. Wensmann second. All in favor. Motion carried. Blonigen also moved to recommend to the Supervisors that landowners must apply, either in person or by authorized proxy, any permitting for a driveway or field approach. Saupe second. All in favor. Motion carried.
4. **Transfer of Development Rights** – A letter was received from Holding Township apparently approving the transfer of a development right for Elvin Sowada, Jr. out of Holding Township into Avon Township. The PC discussed the need for an application/form/process for future TDR transfers. The process might include a fee, public hearing, and so on. Blonigen volunteered to draft a potential TDR application to be considered at the next meeting. The Township could also decide to be more restrictive in handing TDR's including intra-township transfers.

Reports/Announcements: *none*

Next Meeting: The next PC meeting is December 27, 2023 at 7:00 PM (*see 'Call to Order' for the Zoom log-in*).

Other Meetings: Other Upcoming Meetings/Events (*see 'Call to Order' for the Zoom log-in*) include:

- Supervisors Meeting – December 6, 2023

Adjournment: Sanoski moved to adjourn the meeting at 8:25 PM. Meeting adjourned.

Respectfully submitted,
Stephen G. Saupe, Clerk

date: December 2, 2023

Approval:

Lori Yurczyk, *Planning Commission Chair – signature*

date: _____