

Minutes of the Meeting of the Avon Township Planning Commission

April 24, 2024

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chair Yurczyk called to order the meeting of the Avon Township Planning Commission (PC) at 7:00 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).

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Craig Blonigen, Rich Sanoski, Stephen Saupe (*via Zoom*), Andrew Wensmann, and Lori Yurczyk (*Chair*). There was a quorum. Also present: LeRoy Gondringer, Marion Gondringer, & Kelly Martini.

Approval of Agenda: Added to the agenda were discussions of Lion’s Club donations, pipeline/encroachment agreement; domain switch; CenturyLink security and internet. Sanoski moved to approve the agenda as amended. Blonigen second. All in favor. Motion carried.

Minutes: Several edits were made to the minutes. Sanoski moved to approve the minutes from the March 27, 2024 meeting as amended. Blonigen second. All in favor. Motion carried.

Public Hearings: *none*

Public Comments: *none*

Business:

1. **Gondringer Access Permit** – Bryan Gondringer appeared at the meeting to request an Access Permit for his property at 18245 360th Street, Avon (MN). He has received from Stearns County a CSP to build a residence. He also wants to resurface and slightly widen an existing approach to their property. The approach is apparently in a high spot and water flows in both directions from the access. No culvert is currently installed. The PC questioned whether a culvert is needed. Mr. Gondringer stated that the physical dimensions of the revised access will not change by a significant amount. The existing access is estimated to be 5 – 7 feet from property line. There was a question whether it should be further from the neighboring property. Current township Access guidelines do not include specifications regarding property line setbacks.

The PC questioned whether an access permit was even required since the field access already exists and the guidelines allows for changing the material surfaces. In addition, there was a question of whether the driveway could be a shared access with the neighbors: the general PC consensus was that sharing the access is the residents’ decision and that if they share, there should always be a shared access agreement.

Blonigen moved to recommend to the Supervisors that Bryan and Sarah Gondringer, 18245 360th Street, Avon, be allowed to complete the slight modifications to their current access without the need for an Access Permit. Wensmann second. Three in favor. Two (Saupe, Yurczyk) opposed. Motion carried. Blonigen moved to recommend to the Supervisors that if they decide Bryan & Sarah Gondringer, 18245 360th Street, Avon, require an Access Permit, the Planning Commission is in favor of approving the permit. Wensmann second. Four in favor. One (Saupe) opposed. Motion carried. It was also noted that the current access permit requires that a breakaway mailbox post is required and that the PC recommends that Koopmeiners should examine the access and decide if a culvert is required.

2. **Reeve Variance Application** – The Stearns County Board of Adjustment will hold a public hearing on May 8, 2024 to consider a variance by Amanda Reeve, to leave in place a manufactured home with alternative anchoring. The PC reviewed the application. Overall, the PC expressed little familiarity with the guidelines and issues related to anchoring manufactured home. The PC made no recommendation to the Supervisors regarding the variance application and is comfortable to let the County handle the variance request.

3. **Joint Powers Board Meeting** – will meet on Monday, May 20 at the Avon City Hall. It is a required meeting of our Joint Powers Agreement with the City. The Agreement specifies areas in the Township that can be annexed and provides benefits to both the City and Town. The meeting is an opportunity to share items of common interest and act on permit requests and issues from residents in the designated area. Since the Joint Powers Agreement expires at the end of December 2025, the PC suggested that an agenda item would be to outline how to proceed to renew it. Questions to be considered might be – Should a ‘work group’ be established? What is the long-term vision for the area? What, if anything, in the current agreement should be removed or changed?
4. **Fee Schedule Review** – The Supervisors authorized the PC to review the current Fee & Salary Schedule. For comparative purposes, Yurczyk provided copies of the fee schedules from some neighboring townships. Suggested changes included: (a) change Driveway Permit to Access Permit; (b) Increase Access Permits to \$100; (c) Increase a noise permit to \$100; (d) Change ‘per copy’ to ‘per page’, and (e) increase the Special Meeting fee to \$550 (to cover the cost of meeting fees, and posting and publishing the meeting). Wensmann moved to recommend these changes in the Fee and Wage Schedule to the Supervisors. Sanoski second. All in favor. Motion carried.
5. **Zoom Meeting Etiquette** – The PC discussed etiquette for Zoom participation in Township meetings. One this reason could be important is because future meetings may be required to be available via Zoom. There have been concerns about some Zoom participations not muting their microphone and video. The PC generally agreed that a Zoom participant may remain anonymous (video muted, anonymous screen name) unless they have business or specific comments. In these cases, the participant should unmute audio and video and identify themselves prior to making any comments. Otherwise, audio should be muted when not directly participating in the Zoom discussions.
6. **Pipeline Encroachment Agreement** – In response to a request to site an irrigation pipe beneath Tower Road, the Supervisors authorized to have our attorney review an agreement drafted by the Planning Commission. Instead of reviewing the PC recommended agreement, the attorney prepared a new document. The PC reviewed the draft agreement from the attorney and noted: (a) typographical corrections throughout the document need to be made; (b) it seems unfair to residents regarding how the agreement can be terminated, especially for no reason. In contrast, reason for terminating the septic encroachment agreement is specified (*i.e.*, road project in the township road right-of-way). Termination should include some sort of hearing. The termination paragraph should be revised. The PC supports a document to protect the Township but it shouldn’t be overly restrictive; (c) most individuals would not have a General Liability Policy of \$1 million; (d) What will happen to anyone who has already put a line under a road, or, does so without a permit?; (e) Does this agreement affect utilities?; (f) Would the agreement include septic systems in which a line is run under the road? If so, the agreement wouldn’t allow pipes to come out of the ground; (g) Should an appeals process be included?

Yurczyk suggested that this document opens a can of worms and suggests to not use it. Wensmann thought that Morrison County has an agreement for running permanent lines under road. It was noted that Supervisor Klocker thought that Brockway Township may have a similar agreement and he was going to research if it was so. The PC generally agreed that the document should be more resident-friendly and, that at a minimum, the numerous errors in the document need to be corrected. It was suggested that this could be handled as a permit rather than a legal agreement.

Wensmann moved to recommend to the Supervisors to not use the Pipeline Agreement in its current form. Sanoski second. Four in favor. One abstain (Blonigen, because he wrote the original draft). Motion carried. Yurczyk moved to use the previously drafted document. Four in favor. One abstain (Blonigen). Motion carried.

- 7. **WiFi Access in Town Hall** – not discussed
- 8. **Domain Change** – There was a suggestion that the township should change the website domain from .org to .gov because the latter domain is more secure. PC members noted that an extension change does not affect web security. The Town web host said it would cost about \$50 to make the initial change and that the change could automatically redirect users from the .org site to the .gov site. However, there may be additional online and offline costs involved in changing domain. The PC wasn't sure if email addresses would need to change. The benefits of changing to a different domain were not worth the hassle. Yurczyk moved to recommend to the Supervisors to not change our web site to a .gov domain. Blonigen second. All in favor. Motion carried.
- 9. **Policy Reviews** – tabled until next month.
- 10. **Lion's donation** – The Lion's Club has offered to donate \$100 to the Township. The PC suggested it could be used for snacks and treats for the public. The Lion's also offered to donate seven spruce trees. It was suggested that the trees might get too large and block views of the building from the road. Sanoski moved to recommend to the Supervisors to accept the \$100 gift donation but to pass on the trees until a location to plant them could be determined. Yurczyk second. All in favor. Motion carried.

Reports/Announcements:

- 1. **Power Pole Alignment Update** – A public meeting was recently held at the Saint John's Parish Center. The Town was invited. Saupe and LeRoy Gondringer attended. Representatives from Xcel, including Connor Puff, were present and stated that the line had been realigned along Fruit Farm Road because they were unable to acquire needed easements. The line will still run north from the SE corner of the solar field north to 325th Street, then east to Co Rd 159. Xcel said that it was necessary to move the line off Co Rd 159 because of the instability of at least one pole near the Gemini Lakes along Co Rd 159. Saupe noted that a corner pole on the new route will be in, or very near, a wetland and will cross a brook. Xcel stated that the electric lines on 325th Street will be moved to the new poles and the existing poles will be removed.
- 2. **Solar Ban** – LeRoy Gondringer reported that he was contacted by Shirley Opatz, who had attended the last Supervisor to request some sort of variance to site a solar project on her property on Norway Road. She requested that the Township reconsider the decision to ban commercial solar projects in the Township. Blonigen moved to recommend to the Supervisors to not reverse the solar ban provision in Avon Township Land Use and Zoning Ordinance #6 to provide time for the intended purpose to work. Yurczyk second. Four in favor. One abstain (Saupe).

Next Meeting: The next PC meeting is May 29, 2024 at 7:00 PM (*see 'Call to Order' for the Zoom log-in*).

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

- Supervisors Meeting – May 1, 2024
- Joint Powers Board – May 20, 2024; 7 PM; Avon City Hall

Adjournment: Sanoski moved to adjourn the meeting at about 9:28 PM. Blonigen second. Meeting adjourned.

Respectfully submitted,
Stephen G. Saupe, Clerk

date: May 12, 2024

Approval:

Lori Yurczyk, *Planning Commission Chair – signature*

date: _____