

Minutes of the Meeting of the Avon Township Planning Commission

July 31, 2024

Avon Township Hall (16881 Queens Road, Avon 56310)

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, Andrew Wensmann, and Lori Yurczyk (*Chair*). There was a quorum. Also present: LeRoy Gondringer & Kelly Martini.

Approval of Agenda: Sanoski moved to approve the agenda as presented. Wensmann second. All in favor. Motion carried.

Minutes: Blonigen moved to approve the minutes from the June 26, 2024 meeting as presented. Sanoski second. All in favor. Motion carried.

Public Hearings: *none*

Public Comments: *none*

Business:

- Vacating Parkwood Court** – Mr. Sean Primus, 15047 Parkwood Court (Avon, MN), appeared at the meeting to inquire whether the Town would consider vacating the right-of-way in front of his home on Parkwood Circle. The Clerk provided a brief history and said that during a road project in 2022 the Town converted a large cul-de-sac in front of his home into a single driveway. At the time, the Township Supervisors thought it might be advantageous to vacate the right-of-way; however, no action was taken. At the July meeting, the Supervisors stated support for vacating this area on the conditions that the applicant(s) pay associated costs (survey, attorney), agree on the new lot lines, and provide a standard road right-of-way easement. LeRoy Gondringer said that another concern is that there is a power pole that would be on private property if the land is vacated. Mr. Primus should check with the power company if it would need to be moved. Mr. Primus was emailed documents regarding the vacation process and told that he should submit to the Town a petition to vacate the road if he wants to continue with the process.
- Maleska Preliminary Plat** – Mr. Jarred Maleska appeared at the meeting to request approval of a preliminary plat splitting 5 acres from the property of Robert Maleska, 15077 Co Rd 52 (PID 03.00715.0010). Mr. Maleska said that the remainder of the parcel would remain agricultural (A40). He has had a septic plan completed by Watab, Inc. and is having the title work completed. His driveway would access the County Road so no township access permit is required. The PC identified no concerns with the proposed plat, assuming there is a building credit associated with the parcel. LeRoy Gondringer said he thought there may already be a well on the property from a previous proposed project. Blonigen moved to recommend to the Supervisors approval of the preliminary plat presented by Jerrad Maleska. Wensmann second. All in favor. Motion carried. Yurczyk questioned whether a Certificate of Compliance would also be required. Sanoski moved to recommend to the Supervisors a Certificate of Compliance for the property/plat, if necessary. Wensmann second. All in favor. Motion carried.
- ARPA Resolutions** – The Township has passed resolutions for previous ARPA expenditures including

broadband (Resolution 06-01-21-2) and a tractor (Resolution 06-01-21-1). Yurczyk suggested the Township should also consider passing a resolution(s) for spending the remainder of the funds. The Supervisors have already decided to use the remaining funds to help defray costs for the design work for the Avon Fire Hall addition (\$49,079.56) and for the 145th Avenue project (\$105,397.74). A resolution(s) would help to make explicit the Township use of the funds. One question is whether ARPA funds can be applied to the Fire Department.

Blonigen moved to recommend to the Supervisors passage of a resolution stating the use of \$105,397.74 from the Township ARPA fund for resurfacing 145th Avenue. Sanoski second. All in favor. Motion carried. Saupe moved to recommend to the Supervisors passage of a resolution stating the use of \$49,079.56 from the Township ARPA fund for Avon Fire Hall design and preliminary work. Sanoski second. All in favor. Motion carried.

4. **Rezoning Fee** – When an applicant requested a rezoning hearing for a property in the Orderly Annexation Area he was charged the County fee (\$700) for rezoning since the Township has no existing fee. Since this is considerably higher than typical Township fees (*i.e.*, CUP and Variance fees are \$400), the PC discussed whether a fee should be added to the Fee Schedule and whether or not the aforementioned applicant was overcharged. After discussion, Blonigen moved to establish a rezoning fee of \$400 plus additional attorney fees that would cover costs of a public hearing, staff time, and recording fees, and also recommends reimbursing the previous applicant \$300 for his rezoning request. Sanoski second. All in favor. Motion carried. In response to a question from Gondringer, the PC generally agreed that the rezoning fee would apply to any request for rezoning in the Orderly Annexation Area, as well as any requests for rezoning in the Township that the Supervisors might decide require a public hearing, attorney consultation, publication, etc., prior to issuing a recommendation to the County.
5. **Right-of-Way (ROW) road work policy** – The Clerk noted that there have been several recent requests regarding work in the Township road ROW suggesting the need to review this policy (Resolution 08-05-20). The current policy is that a company may do a single residence project without restriction, but a multi-residence project requires the company to provide both a drawing/plan and have a rep come to a Supervisor meeting. It was also asked whether an application should be required. The PC noted that the goal of the policy is to maintain the integrity of Township roads while making it easy for utilities to complete work as necessary. The PC suggested that a company doing ROW work would either attend a meeting, or provide a written plan on the condition that the Supervisors could also require an in-person visit. It was also recommended that the Township website should make the policy easier to find.

Reports/Announcements:

1. **Joint Planning Commission (JPB) Report** – Yurczyk reported that the JPB met recently to consider a rezoning request by Nathan Hylla/Kanati Land Management. Though the JPB was unanimously supportive of Mr. Hylla's business concept, the request was denied because the parcel wasn't large enough to allow the permitted use without spot zoning. The JPB also set a meeting of an *ad hoc* committee to consider renewal of the Orderly Annexation Agreement for September 23, 2024. This meeting might also include consideration of a preliminary plat by Scott Spanier.
2. **TDR Discussion** – Heidi Winskowski, Stearns County Environmental Services, will meet with the Supervisors on September 4th to clarify the Transfer of Development Right program. The PC is authorized to attend.
3. **Hiring Committee** – the Township *ad hoc* committee to hire a maintenance person has not had the opportunity to meet. There may be some reluctance to hire a worker, but rather hire out jobs.

Next Meeting: The next PC meeting is August 28, 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 – August 7, 2024
- Joint Planning Board – September 23, 2024; Avon City Hall

Adjournment: Blonigen moved to adjourn the meeting at about 8:41 PM. Sanoski second.

Respectfully submitted,
Stephen G. Saupe, Clerk

date: August 4, 2024

Approval:

Lori Yurczyk, *Planning Commission Chair – signature*

date: _____