

# Minutes of the Meeting of the Avon Township Planning Commission

January 29, 2025

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 available via Zoom at the 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 – Marion Gondringer (*Acting Clerk*), LeRoy Gondringer, & Kelly Martini.

**Approval of Agenda:** Added to the agenda were a request by Paul Dobis for an access permit and a discussion of the County hearing regarding Shady's. Sanoski moved to approve the agenda as amended. Blonigen second. All in favor. Motion carried.

**Minutes:** Sanoski moved to approve the minutes from the December 18, 2024 meeting as presented. Blonigen second. All in favor. Motion carried.

**Public Hearings:** *none*

**Public Comments:** *none*

## **Business:**

1. **Sara Lane: Variance & Access Permit Request** – Mr. Brian Anstine, 37020 Sara Lane, appeared to request a variance to build a shed closer to road than is currently allowed by ordinance, and also for an access permit to replace a culvert that is not draining property. His property is located behind *The Store* and has a pond that occupies much of the property. He is working with an architect to develop a building plan. He wants to construct a residence in which he will live, as well as a 30x70 shed. The shed will have a concrete floor, heat, and 12-foot doors. Its purpose is to house assorted items including a boat, trailers, dirt bikes, and four-wheelers.

The tentative location for the shed is behind the trees along the road and in front of the trees near the pond. The trees along the road will serve as a visual barrier. He would remove the trees nearest the pond if necessary. If the shed is constructed in this location, the nearest corner of the building would be 55 feet to the center-of-the-road (COR). Current ordinance requires a 93-foot setback, which means Mr. Anstine would require a variance of 38 feet.

The property is zoned R5 and is part of the Saint Anna town site. When asked how far from the pond he needed to build, Mr. Anstine said that the County wants a set of official plans before it will do a wetland delineation. Mr. Anstine is aware that no more than 25% of the lot can be impervious surface (*i.e.*, buildings). Mr. Anstine was advised to check the rules on sidewall height for the shed.

Blonigen moved to recommend to the Supervisors to set a public hearing at 7:15 PM on February 26, 2025 to consider a request by Mr. Brian Anstine, 37020 Sara Lane, for a variance of 38 feet to construct a 30 x 70 shed 55 feet from the center-of-the road. Sanoski second. All in favor. Motion carried.

Mr. Anstine said that drainage on the property goes to the NW and then to a culvert under the driveway. He requested an Access Permit to replace the existing culvert beneath the driveway because it is tilted and does not drain properly. This culvert is in the road ROW. Mr. Anstine stated that he will not make the driveway wider or change it; he just wants to replace the culvert. He wants to complete this work as soon as feasible in the spring. He may not need an access permit since he is just replacing a culvert and not changing the driveway. If so, it was suggested that he should be required to pay a damage deposit in the event the road is damaged.

Sanoski moved to recommend to the Supervisors to approve a driveway access permit to do work on a culvert but waive the fee and require a damage deposit. Blonigen second. LeRoy Gondringer stated that the town hasn't previously required a permit for work in the road right-of-way (ROW) and that this motion would set a precedent. Wensmann said the deposit may not be necessary since he thought there are State Statutes that say that an individual is liable if work in the road ROW causes damage. Sanoski moved to rescind the motion. Blonigen second.

There is a concern that work in the road ROW might not be done properly or cause damage if there is no permit or Township oversight. This will be included as an agenda item in the future.

2. **Dobis Access Permit** – Mr. Paul Dobis requested an access permit for his field at the intersection of Two Rivers Road and Co Rd 9 (18165 Two Rivers Road). This became necessary after the 2023 roadwork on Two Rivers Road that raised the road height and it became difficult to access his field. The angle is too steep to get for his equipment (*i.e.*, tractors, harvesters). He requests building up the approach in the road ROW for safer access. There was no previous approach in the proposed location which is proposed to be about 100 feet from Co Rd 9. There is a question of how close to the County road the access could be. Mr. Dobis doesn't think a culvert is necessary because water drains to the west. An inspection will be necessary. He plans to wait until spring to do the work. Mr. Dobis completed an access permit. The Supervisors could measure and determine the appropriate distance. L Gondringer suggested that the fee could be waived because the town caused the problem by increasing the road height. Sanoski moved to recommend to the Supervisors to approve an access permit for Paul Dobis as long as the east side of the approach is at least 100 feet from the COR of Co Rd 9 and that it is inspected to verify the need for a culvert. Blonigen second. All in favor. Motion carried.
3. **Short Term Rental Shorewood Drive** – Amanda Birnie (Schwinghammer) contacted the Township regarding a potential short-term rental on Shorewood Drive. At this point it is not clear whether she will need an Interim Use permit (IUP) or Provisional Use permit, which is determined by the number of potential overnight guests. The County handles the paperwork for short-term rentals, but the Town will be asked for a recommendation. No action was taken since Ms. Birnie did not attend tonight's meeting (she may attend the upcoming Supervisor's meeting) and no formal application has been received.
4. **Fee Schedule** – the discussion focused on the question of whether the Township should pay for services based on the individual (*i.e.*, snow plow operator) or the task. For example, if a snow plow operator, who receives \$30 per hour for plow service, serves as an election judge or does brushing for which the hourly fee is \$17, how should this be handled? In general, committee members agreed that pay should be based on the task.

The PC suggested that the Fee Schedule should be clarified. "Snow Plow Operator" could be revised to "Snow Plow Operation." In addition, other categories/examples could be included such as lawnmowing, grounds keeping, brushing, tree trimming, housekeeping, laboring, tree trimming, township property maintenance, and so on.

Another solution identified by the committee is to ensure that all employees have a contract with a job description and includes the pay rate so that the employee knows the pay they will receive for the work that

they do. One suggestion was to create a checkbox style form to highlight the specific duties of the employee. An advantage of a contract is to minimize risk to the Township in the event of accidents or other problems.

It was suggested that forms and HR documents could be adopted from the MAT website, though it doesn't appear that MAT has much related to employees.

5. **Access Permit Edit (8.G)** – the PC agreed that the language for the new section, 8.G, added to the Access Standards looks good. *(An access must be set back from a side lot at least 10 feet, unless there are special circumstances (i.e., shared accesses, limited space, obstructions) that will be examined on a case-by-case basis. The Supervisors, at their discretion, can approve requests for an exemption from this rule.)*
6. **Disbursements & Receipts in Minutes** – there was a suggestion to include these in the minutes of the Supervisor meeting. The PC generally agreed that this is a good idea. One option is to cut-and-paste the disbursement and receipts registers into the minutes, but in their current form this could take up as many as six or more pages. If the Supervisors are in favor of this idea, the Clerk and Treasurer will consider ways to include this information in a potentially shorter format that doesn't require excessive work for anyone.

#### **Reports/Announcements:**

1. **Shady's Hearing** – L Gondringer reported that the County held a hearing regarding events at Shady's. Shady's requested up to 20 events per season. Gondringer alerted the County that the Town was opposed. The Township supports no more than one event per 30 days and that an exemption form is required for every event as per the Township Noise Ordinance. Gondringer recommended that they should make the final decision regarding this situation. The County Planning Commission deferred a decision until their meeting next month. Two Supervisors and two residents from St. Joseph Township also attended the hearing and recommended to not approve the events at Shady's because of complaints received about Milk & Honey. One Avon Township resident appeared at the hearing in opposition and the County received one letter in support from a Township resident. Residents within a quarter of a mile were presumably notified of the hearing. It is surprising that so few individuals from the Township appeared at the meeting. The penalty for violating the Township noise ordinance is \$200. It was discussed whether the Town should charge Shady's the fine for violating the noise ordinance last year. Also, it was questioned whether the Town could refuse to approve a liquor license if there are problems with future events.

**Next Meeting:** The next PC meeting is February 26, 2025 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 – February 5, 2025
- Audit Board meeting – February 12, 2025; 7 PM
- Town Hall open to accept absentee ballots – March 8, 2025; 10 AM – 12 PM
- Public Accuracy Test of electronic election equipment – March 8, 2025; 10:15 AM
- Township Election – March 11, 2025; 2-8 PM
- Annual Meeting – March 11, 2025; 8:15 PM
- Board of Canvass Meeting – March 11, 2025 (9 PM)
- Qualification Meeting – March 19, 2025; 7 PM

**Adjournment:** Yurczyk moved to adjourn the meeting at 8:55 PM. Meeting adjourned.

**Respectfully submitted,**  
Stephen G. Saupe, Clerk

**date:** February 3, 2025

**Approval:**

\_\_\_\_\_  
Lori Yurczyk, *Planning Commission Chair – signature*

**date:** \_\_\_\_\_