

# Minutes of the Meeting of the Avon Township Planning Commission

June 29, 2022

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 7:00 PM in the Main Chamber of the Town Hall. The meeting, like all Town meetings, 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*). Also present: LeRoy Gondringer & Kelly Martini.

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

**Minutes:** Sanoski moved to approve the minutes from the May 25, 2022 meeting as presented with the correction of one typo. Wensmann second. All in favor. Motion carried.

**Public Hearings:** *none scheduled*

## **Business:**

- Bueckers CUP & Certificate of Compliance** – Melissa Bueckers appeared to request a Conditional Use Permit (CUP) for a conventional subdivision in the Conservation Overlay area, and for a Certificate of Compliance for an administrative subdivision for parcel 03.01068.0030. Ms. Bueckers wants to split approximately 15 acres from this parcel to construct a home. The building envelope would be in one of the areas that are currently cropped. Access is from 182<sup>nd</sup> Avenue and a driveway pre-exists. She stated that a survey is being prepared but is not yet complete and unlikely to be done in time for the Supervisors meeting next week and maybe not even by the time of the PC meeting next month. Ms. Bueckers was informed that the survey is necessary before any decision could be made. The 60-day rule complicates the matter and makes it difficult to want to set a public hearing without the necessary documents because if the documents aren't provided, the Town can't continue the decision. Mrs. Bueckers was asked to contact the Clerk once the survey is ready to get back on the agenda.
- Trash Hauler Complaint** – A complaint was received about trash escaping from a garbage hauler's truck along 331<sup>st</sup>. It is not known with certainty but Waste Management is the likely hauler. The Supervisors will be alerted to see if they want to issue a Township statement to the company about littering roadsides. West Central also hauls trash in the Township.
- Open House** – the Open House is scheduled from 5-8 PM on September 12<sup>th</sup>. Ideas for the Open House were discussed. These include:
  - Expected turnout – 20ish not including town staff
  - Ice Cream – Various options were suggested including a soft serve machine, invite a concession or purchase tubs from local store. The consensus was to purchase tubs of ice cream. The ice cream would be stored in the kitchen freezer as well as in freezer supplied by Gondringer. Toppings for the ice cream could include sauces (chocolate, strawberry), sprinkles, perhaps whipped cream.
  - Coffee, cookies and water should be available.
  - Food would be served either in the kitchen (inside) or in the Shop. There didn't seem to be a

consensus. The disadvantage with serving in the kitchen is the potential mess in the Hall. One disadvantage serving in the Shop would be weather (it might be rather cool).

- Set up would occur the Saturday before
- Town staff would be asked to attend
- A sign on the Hall would be ideal to be installed before the event. Three options for a sign would be on the building (north side), area to the west of the Hall, or wooden sign by road at the end of the drive
- Town vehicles (plows, etc.) would be displayed in the lot to allow for visitors to use the shop to eat, and congregate if it is cold.
- The newsletter would advertise the event. Copies could also be available to pick up. Or, a special informational flyer with important Town details could be created.

4. **Newsletter** – Ideas for the newsletter were discussed. These include:

- 4 pages (2, 8.5 x 11 sheets folded in half). This should provide enough room for header, mailing area and at least 1500 words of text
- Articles/items to include: (a) Homestead tax credit expires at a valuation greater than \$500,000 (*ask Assessor's office to write*); (b) Website (*Saupe to write*); (c) voting, elections, election judges (*Saupe*); (d) Road right-of-way issues (*Gondringer*); (e) vandalism to signs & plastic wrap (*Wensmann*); (f) snowplowing concerns such as across road, obstacles (*no one volunteered*); (g) parking around lakes (*no one assigned*); (h) storm damage (*Sanoski*); (h) permits including CUP, IUP, variances, Certificate of Compliance, driveway, rental property, feedlots (*Saupe*); (i) new tractor (*assignment?*); (j) township services (*assignment?*); (k) seeded native plant area (*assignment?*).

5. **Policy Review** – Vacation / Private Home Rental (6.62 Ordinance 439) – the County will have a public hearing about potential changes to this section of the 439 Ordinance. The PC discussed the proposed changes. Specific recommendations are summarized below. Following consideration of all the proposed changes, Blonigen moved to recommend to the Supervisors to require an IUP for rentals, that the Supervisors determine the appropriate frequency for rentals in the Township, and that the overnight capacity is no more than 12. Wensmann second. All in favor. Motion carried.

**Reports/Announcements:**

1. **Business Permits** – Many businesses in the Township need a provisional use permit, which can be obtained from Stearns County at no cost. A camper repair business, Custom Campers, on 360<sup>th</sup> Street, may not be permitted though the owner stated he had a permit. Wensmann moved to recommend to follow up to determine if Custom Camper is a properly permitted business and if not, to alert Stearns County to the need for permit for this business. Blonigen second. All in favor. Motion carried.
2. **Kopy Lane** – was paved last year and to maintain the surface, cracks were filled this year. Supervisor Gondringer reported receiving complaints from several residents that crack-sealing has caused cracking and damaged the road. This is very unlikely.

**Next Meeting:** The next PC meeting is July 27 at 7:00 PM. *See #1 for the Zoom log-in.*

**Other Meetings:** Other Upcoming Meetings/Events (*see #1 for the Zoom log-in*):

- Supervisors Meeting – July 6, 2022; 7 PM

**Adjournment:** Sanoski moved to adjourn the meeting at 9:03 PM. Blonigen second. All in favor. Motion carried.

Respectfully submitted,  
Stephen G. Saupe, Clerk

Signature: \_\_\_\_\_

**date:** July 8, 2022

**Approval:**

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

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

**Appendix: (from #5 above) – Policy Review**

Stearns County VHR Options		Level of Regulation - shaded = Staff recommendation; * = existing		
Process/Requirement	Low	Medium	High	PC Response
Permit Type	Permitted Use	Provisional Use; Interim Use if over 12 occupants. Townships have the option to be more restrictive.	Interim Use*	An IUP is desirable to provide flexibility and Town oversight.
Licensing (health/safety)	Not applicable	Annual license required per MDH*	Not applicable	OK
Noise	State Noise Standard	Post quiet hours in rental	Quiet hours on permit*/in ordinance	OK
Parking	1 space/ 3 people, based on permitted occupancy*	Require designated spaces for boat trailers/rec. equipment	Implement setbacks, screening	OK
Septic system	Initial certification (no sizing requirement)	Initial certification, flow measurement, 50 gallons of water per person per day*	75 gallons per day per person; certification every 3 years	OK
Drinking Water	No requirement	Water test at time of application for nitrate and coliform*	Annual water test	OK
Overnight Capacity	Not to exceed capacity of septic	Per lodging Ord + 2 or the capacity of the septic. Eliminates cap of 12	Per lodging Ord and the capacity of the septic not to exceed of 12*	Should be a cap of 12
Daytime capacity	No regulation*	Based on parking not to exceed twice the overnight capacity	Overnight and daytime capacity is the same	OK
Guest Records	No regulation	Host to document number of overnight guests/rental period	Name/address/phone/vehicle number of overnight guests*	OK
Contact Information	Provide to county*	Require property contact posted in rental and given to property owners within 500 feet	Contact available 24/7. Host must respond to complaints within two hours. Contact information posted on county website	OK
Violations	Existing civil process. Department discretion*	One warning per permit cycle before revocation hearing	Automatic revocation hearing with documented violation	OK
Rental Frequency	Allowed 365 days per year*	180 days per year	2 weeks per month	There was a concern that year round would encourage businesses and make it hard for single families to purchase lake property. No consensus was reached.

Lot Size	No minimum*	66% of lot size and width	Minimum setback from neighboring homes	Not certain what this means, but since medium regulation is desired, OK
Site plan	Site sketch by applicant*	Property lines stake by a licensed surveyor	Property lines staked and signs, fence or landscaping demarcating property line	OK
Permit length	No expiration unless a change in ownership	Provisional: 1st request=2 yrs.; 2nd request=5 yrs.; 3rd and subq.=10 yrs. with no violations	Set by IUP*	OK
Zoning District	Allow in all Agricultural and Residential Districts*	Prohibit in Shoreland Overlay District	Prohibit in Residential 1	OK
Neighborhood Meeting	No meeting required	Send out mailing notice to neighbors within 500 feet prior to application	Require meeting hosted by applicant prior to application to neighborhood within 500 feet	OK
Road access	Access and type of road are not considered*	Comments from emergency services that property can be served	Road must be maintained by the road authority	OK
Fees	Current fee schedule* Prov=0; IUP=\$550	Increase fee due to commercial value	Create after the fact fees for rentals without approvals	Not clear what this means
Advertisement	No regulation*	Cannot advertise more than licensed amount	Create after the fact fees for rentals without approvals	Not clear; no comment, though after the fact fees seem OK
Density	Up to 2 rental units/parcel*	2 rental units/parcel with IUP	One per parcel	One unit per parcel was the PC consensus, though two would allow up / downstairs units
Ownership change	No zoning permit review	New Prov Use with new owner unless entity is the same	Subject to review by the Board unless entity is the same*	OK