

# Minutes of the Meeting of the Avon Township Planning Commission

March 30, 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 7:05 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, LeRoy Gondringer, Rich Sanoski, Stephen Saupe, and Lori Yurczyk (*Chair*). Also present: Kelly Martini.

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

**Minutes:** Gondringer moved to approve the minutes from the February 23, 2022 meeting as presented. Blonigen second. All in favor. Motion carried.

**Public Hearings:** *none scheduled*

## **Business:**

- Amundsen Variance** – Alisse Amundsen appeared via Zoom to request a variance to site a deck and shed closer to the road than is currently permitted. She said that the shed was built to replace an existing one that was in poor shape. The shed was rebuilt in the same location, which is too close to the road. It is approximately 46 feet from the center-of-the-road (COR), but it must be 63 feet. Ms. Amundsen was told that she either needs to move the shed 17 feet further from the road or obtain a variance. In addition to the shed, in 2020 the Amundsen's replaced the rotting deck on the south side of the cabin and extended the deck to wrap around the house to the west. The new deck addition is 58.5 feet from the COR, or 4.5 feet closer to the road than is currently permitted. In addition, they did not get a construction site permit (CSP) for the deck thinking it wouldn't require one because it would be low to the ground. However, because the deck was higher than 12 inches from the ground in some areas, a permit is required. It is also too close to the lake. The Amundsen's received an after-the-fact permit from Stearns County to keep the deck. The Amundsen's will require a variance from the Township for both the deck and shed. Gondringer moved to recommend to the Supervisors to set a public hearing on April 27 at 7:10 PM to consider a request by Alisse and Tim Amundsen to construct a shed and a deck, 20 feet and 5 feet, respectively, closer to the road than is currently permitted. Blonigen second. All in favor. Motion carried. Assuming the Supervisors approve the hearing, PC members were requested to drive by the site to check it out before the public hearing.
- Kelley Certificate of Compliance** – Taylor Kelley, 37312 185<sup>th</sup> Ave., contacted the Township to obtain a certificate of compliance to attach to his property a parcel of land he plans to purchase from his neighbor (Geraldyn Schmainda). He wants to purchase a strip of land (about 50 feet wide, 0.6 acres) along the south side of his property because the existing property line currently cuts his home in half. He is having a survey done, which should be completed in a week or so. Yurczyk moved to recommend to the Supervisors a Certificate of Compliance for Taylor Kelley to attach to the south side of his property a parcel of land, about 0.6 acres in size, purchased from his neighbor on the condition that Mr. Kelly provides a legal description and survey that confirms the discussions at this meeting. Sanoski second. All in favor. Motion carried. Mr. Kelly was advised to ensure that he purchases enough land to allow for setbacks if he

plans any additional construction on his property and to contact the County about necessary permitting for starting a business on his property.

3. **Hazard Mitigation Plan** – the County is requesting whether the Town is interested in participating. Since the Town has no specific needs at this time, the PC recommends taking no action at this time.
4. **Gertken Solar Project** – A request was received from Novel to sign a letter describing the Gertken project. The letter will be part of an application for USDA Rural Development financial assistance for a loan guarantee. Since the consequence(s) of signing the document are not completely understood and because there is no clear need for the Township to sign the document, the PC recommends taking no action at this time.

Yurczyk mentioned that we will need to establish our contract with SWCD for their review and analysis of the plantings, especially considering the County is planning to amend the 439 ordinance to remove DNR review (see #5 below). Gondringer noted that according to our Ordinance #5 (4.9.4.i), the IUP for the solar project expires in 6 months. Gondringer moved to recommend to the Supervisors to contact Scott Tempel at Novel Energy that the Interim Use permit expires in 6 months and to request an extension if they haven't started already. Sanoski second. All in favor. Motion carried.

5. **439 Ordinance Amendments** – the County will hold a public hearing on April 26<sup>th</sup> to consider amendments to Ordinance 439. The PC reviewed these proposed changes: (a) Impervious Surface – there was a discussion about whether “class 2” should be included in the definition of impervious, but no consensus was reached; (b) 4.8.7 – no changes to the proposed amendments are recommended. The PC supports extending the expiration of a CUP to 2 years and recommends suggests that the Town change our IUP and CUP expiration to the same; (c) 4.9.6 no change to the proposed recommendations are recommended; (d) 4.11.4 – the PC discussed and agreed that the rule that a survey is required for construction less than 1.5 times the property line setback should not apply to A40 zoning or parcels larger than a certain size. It was recommended that a comment indicating such should be sent to the County from the Town; (e) 4.18.4 – no changes to the proposed amendments are recommended; (f) 4.24 – no changes to the proposed amendments are recommended; (g) 6.54.1 – the PC suggests that perhaps a DNR review should be required for solar gardens that are adjacent or close (i.e., 0.5 miles) to a Natural Heritage Information System site; and (h) 7.16.1 - no changes to the proposed amendments are recommended.
6. **ARPA Broadband** – Martini provided a document from the recent District meeting in Freeport regarding broadband expansion in the County. The proposals apparently shows that AlbanyTel (Phase I) would expand to most of the Town, with the exception of the SE sections (25, 26, 27, 34, 35, 36), with fiber broadband. The County encourages Towns to provide the County with up to 50% of their ARPA funds to support expansion of broadband. It was suggested that the infrastructure investment and jobs act should provide funds for broadband expansion. Most PC members recommend that the Town not allocate a portion of ARPA funds to the County for broadband expansion.
7. **PC Document Review** – The application, applicant evaluation, and performance evaluation forms were reviewed and edited. In addition, the PC policy document was reviewed. Recommendations to these documents were suggested for approval.
8. **Newsletter Ideas** – The supervisors suggested mailing residents a newsletter that would include various Township topics as well as an announcement of a planned Open House. Among the ideas for the newsletter suggested by the PC include: snow plowing policy (including no plowing across a road), how to obtain a burn permit, mowing and issues regarding the road right-of-way, mailboxes and breakaway posts, financial health of the Township, history of the Hall and paying off the Town hall, ARPA funds, compost site,

web site, planting trees in the ROW, and clean up.

- 9. **Open House** – the residents approved hosting an Open House this summer. The PC was asked for ideas about the Open House. There was general agreement that the event would be catered by a local business (*i.e.*, Creamery). It was suggested that the Hall and shop could be open for residents to visit.
- 10. **Policy Review** – The PC reviewed Resolution 06-03-20-2 (Compensation Policy). Some editorial suggestions were made primarily listing the Planning Commission among those affected by the policy. The amended resolution will be 04-06-22-1.
- 11. **Resolutions** – two resolutions (Road Reversion Reform; Annexation Reform) from MAT were considered but no action was taken.

**Reports/Announcements:**

- 1. Sympathy was expressed for the families and friends of Martin Pilarski (husband of our former housekeeper and Town Hall neighbor) and Maynard Sand (Board member for many years). A card from the Township was sent.

**Next Meeting:** The next PC meeting is April 27<sup>th</sup> at 7:00 PM. *See #1 for the Zoom log-in.*

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

- Road Inspection – April 5; 3 PM
- Supervisors Meeting – April 6; 7 PM
- LBAE meeting – April 18, 7 PM

**Adjournment:** Sanoski moved to adjourn the meet at about 10:00 PM. Gondringer second. All in favor. Motion carried.

Respectfully submitted,  
Stephen G. Saupe, Clerk

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

**date:** April 5, 2022

**Approval:**

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

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