

Minutes of the Meeting of the Avon Township Planning Board
April 30, 2008
Avon City Hall

Call to Order: The regular meeting of the Avon Township Planning Board was called to order by Chairman Ken Mergen at 8:00 P.M.

Pledge: Everyone stood for the Pledge of Allegiance.

Roll Call: Present – Gerry Kremers, Ken Mergen, Lowell Rushmeyer, and Stephen Saupe. Absent – Joe Scepaniak. Supervisors Gondringer, Merdan, and Bresnahan were in attendance.

Approval of Agenda: The following items were suggested for addition to the agenda: (1) Mergen requested discussion of a zoning change request by William Becker; and (2) Kremers requested discussion of the procedure for replacement of a 911 sign. Rushmeyer moved to approve the addition of these items to the agenda. Mergen seconded. Approved unanimously.

Minutes: Mergen moved to approve the minutes of the March 26, 2008 meeting. Kremers seconded. Approved unanimously.

Business

1. The board heard a request by Mr. William Becker (Avon, MN) to split five acres from an existing parcel of 15 acres and to change the zoning from A40 to R5. After some discussion, Mergen moved to recommend to the Board of Supervisors to set a public hearing for 8:15 PM on May 28, 2008 to consider this request. Rushmeyer seconded. Approved unanimously.
2. Public Hearing: St. John's Rezoning Request – Mergen opened the public hearing at approximately 8:15 PM. Br. Benedict Leuthner and Mr. Bill Boom from St. John's (Order of St. Benedict) appeared before the Board to request rezoning three parcels (03.01140.000, 03.01140.020, 03.01139.050) from A40 to Educational/Ecclesiastical. These parcels were part of the original Phillippi property. St. John's has already received approval from Collegeville Township to rezone the former Thole property. Br. Benedict stated that they have no intention to build on the Phillippi property and will be planting prairie on the hilly area to the west of West Gemini Lake. When asked why they want to rezone the entire area, Br. Benedict stated that all other St. John's land is EE so it makes sense to rezone this property. The specific plan for development is to build a 58 bed, apartment-style structure to bring students back to campus. It would be a three-story building with 15 apartments. One concern that was raised was the rapid infiltration rates into the water table. Br. Benedict stated that there were no plans for additional driveways or entrances. The only additional access that might be necessary would be for fire. Br. Benedict stated that they do not intend to build any additional roadways. St. John's views the former Keller property as "build-able" as well as the Thole property to the south which is in Collegeville Township. Rushmeyer suggested that the rezoning could include just the five acre parcel (03.01140.000) where the building is planned. Supervisor Merdan stated he had received calls about closing Fruit Farm Road. Br. Benedict stated

that they are not advocating a road at this time. St. John's has talked about moving the road, but is not advocating moving the road. They would consider this at some point in the future if people were favorable. According to Mr. Tim Haeg, a fourth parcel on the northwest corner of the former Phillippi property, should have been included in the original description for the hearing. Mr. Meyers spoke concerning the issue. Mr. Beach stated that he supported Rushmeyer's suggestion to only rezone the part of the property on which the apartment building will be constructed. Br. Benedict stated that St. John's is currently going through a master plan and wants to bring it to both Avon and Collegeville townships for discussion/feedback. Mergen moved to close the public hearing. Rushmeyer seconded. Approved unanimously. Rushmeyer moved to recommend to the Board of Supervisors rezoning only parcel 03.01140.000, which is closest to St. John's and the planned site of an apartment building, from A40 to EE. Mergen seconded. Approved unanimously.

3. Gravel Pit Discussion – Mr. John Henry from Knife River Aggregates appeared before the board to discuss the inspection of the Pierskalla/Kramer (formerly Bromenshenkel) gravel pit. The site inspection by the township showed that the gate was not locked, asphalt was being stored, and that there was need for an updated bond for reclamation. Mr. Henry stated that it was their goal that the pit would be reclaimed. Separate bonds would be issued to each property. Mr. Henry doesn't see damage to wetland areas as a problem. When asked how much deeper they plan to go, Mr. Henry stated that there is 20-30 feet of gravel on the Kramer side. When reclaiming the pit, Mr. Henry stated that normally they would mine the hill and then level and fill for restoration. When asked how much life is left in the pit, Mr. Henry stated that it depends on the economy. They estimate that they could remove 30,000 ton/year for 10 years. When asked how the sale of one of the properties would affect the pit, Mr. Henry stated that they plan to record the pit so the new homeowner will be aware that the lease will extend to 2010. When asked about reclamation costs, Mr. Henry stated that the Kramer side would take about 2.5 days of work while the Pierskalla side would depend on how much was mined. If only half is mined, then it would take longer for reclamation. Reasonable estimates range from \$10-15,000 on the Kramer side to \$20-35,000 on the Pierskalla side. When asked about the asphalt, Mr. Henry stated that it is non-toxic and is in an encapsulated form so it won't leach chemicals into the wetlands. It will be crushed as needed. Orange warning fence should be considered along north end. Rushmeyer moved to extend the conditional use permit for the Pierskalla/Kramer gravel pit for five years assuming that the following conditions are met before starting operation: (a) a \$50,000 bond is posted to cover reclamation costs (\$15K for Kramer side, \$35K for Pierskalla side); (b) blacktop/asphalt not be stockpiled; (c) hours of operation continue as they have been; (d) the gate is locked for security when not in use; and (e) the wetland is avoided and encroached upon no further. Kremers seconded. Passed unanimously. The Clerk will draw up a new document.
4. Albany Telephone – Tom Eveslage appeared to discuss the utility building they plan to construct on the Budde property. Since they are a public utility, they are exempt from needing a Conditional Use Permit. They would prefer to construct the building 63 feet from the centerline rather than the 93 feet specified in the ordinance because of snow removal, cost of running conduit, etc. They require a driveway permit and Mr. Eveslage provided completed forms and fee. The Board examined the preliminary plat for the project. Rushmeyer moved that there was no objection to the preliminary plat and that it should be forwarded to the

Township Board. Mergen seconded. Passed unanimously.

5. 911 sign replacement – Kremers stated that during a recent storm, a car went into the ditch and knocked down Mr. Randy Harren's 911 sign. The general consensus was that the township was responsible for the initial installation of the signs but that after that the homeowner is responsible. Gondringer indicated that additional posts are available in the salt shed.
6. Manure Storage – Supervisor Bresnahan stated that he had been contacted by Mr. Michael Roske to alert the township to the turkey manure storage facility at Avon Ag Lime which is adjacent to the township. One problem is that the manure can be contaminated with arsenic and that when the manure is left sitting outside, it can leach out or blow away. Bresnahan will contact Don Klemke at Stearns County.

Announcements: none

Next Meeting: The next Planning Board meeting will be May 28, 2008.

Adjournment: Rushmeyer moved to adjourn the meeting at approximately 9:55 PM. Mergen seconded. Approved unanimously.

Respectfully submitted,

Stephen Saupe
Deputy Clerk

Minutes amended & approved: 28 May, 2008