

**Minutes of the Meeting of the Avon Township Planning Board**  
November 26, 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, Roger Nelson, Lowell Rushmeyer and Stephen Saupe. Also present – Supervisor LeRoy Gondringer.

**Approval of Agenda:** Mergen moved to approve the agenda as presented. Rushmeyer seconded. Approved unanimously.

**Minutes:** A typo in the minutes of October 29, 2008 was corrected. Rushmeyer moved to approve the amended minutes. Mergen seconded. Approved unanimously.

**Public Hearings:** none scheduled

**Business**

1. Variance Expiration – At the last meeting, the Board learned that the Studniski's, who appeared at a public hearing of the Planning Board on July 25, 2007 to obtain a variance to construct a new home closer to the road than is permitted, had not yet initiated work. Township regulations state that a variance is void if substantial improvements are not made within six months[Land Use Zoning Ordinance #3; Section 4.7.2 (l)]. Since one or more extensions can be granted, the Board recommended that the Studniski's should request an extension. Saupe will send the Studniski's a letter alerting them that their variance has expired and if they plan to start work, they will need to renew the variance by appearing in person at a Supervisor meeting or contacting one of the Supervisors. The Studniski's may also need to renew their county building permit.
2. Blattner Corp. Wind Turbine – Mergen reported on the site inspection of the Blattner building and wind turbine site. The turbine will be placed near the existing Knife River crusher. Power lines will be run from the Blattner building, along County Road 9 and up the driveway to the site. Mergen also attended the Stearns County Planning Board meeting where the project was approved and was supported by a letter from the Township Supervisor's. However, the Township has not yet formally issued them a Certificate of Compliance. This problem occurred because there has been a mix-up concerning responsibilities of the Township and the County after losing our zoning administrator. Rushmeyer will contact Don Adams to see if we need to hold a Public Hearing for a CUP on this project to legally protect everyone involved, especially Blattner's. We want to avoid putting Blattner through this process if it can be avoided.
3. MOU Clarification – as a response to the confusion in the Blattner permitting process, the Board recommended that a County representative attend a future meeting to help clarify Township and County responsibilities regarding zoning, permits, etc. We hope to do this in January.

4. Noise Issues – The noise situation at Cone's Bar was discussed. Neighbors were encouraged to phone the sheriff when there were problems. The Supervisors are interested in the possibility of requiring a "Special Event Permit" for outdoor events. Saupe provided information about County Ordinance 254 – Large Gathering Ordinance and how it has worked for St. John's and their Pinestock festival. The Board requested that Saupe use the county ordinance to create a working draft of a potential special event permit for the township.

**Announcements:** Rushmeyer announced that there was no news from the Joint Powers Board. Kremers said there was no news from the Avon City. The cost of renting space in the old Blattner building is prohibitive for our needs. The Board discussed the possibility of a consultant to provide a space analysis for the Township.

**Next Meeting:** Since the next Planning Board meeting was scheduled for New Year's Eve, the Board will recommend to the Supervisor's to reschedule this meeting for Tuesday, December 30, 2008 at 8:00 PM.

**Adjournment:** Rushmeyer moved to adjourn the meeting at 9:35 P.M. Mergen seconded. Approved unanimously.

Respectfully submitted,

Stephen Saupe  
Deputy Clerk

Minutes amended & approved: December 30, 2008