

Minutes of the Meeting of the Avon Township Planning Board
August 26, 2009
Avon City Hall

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

Pledge: Everyone stood for the Pledge of Allegiance.

Roll Call: Present – Ken Mergen, Roger Nelson, Gerry Kremers, Lowell Rushmeyer, Stephen Saupe. Supervisor's Gondringer and Bresnahan were also present.

Approval of Agenda: Mergen moved to add to the minutes (1) rezoning request by Mr. Scott Spanier and (2) variance request by Mr. Chris Blattner. Rushmeyer second. Motion carried.

Minutes: Paragraph five in the minutes of the previous meeting (July 2009) were amended as follows: (1) the first line of the paragraph should read, "Brother Benedict was present to submit a conditional use permit application..." (2) the eighth line down should read, "set a public hearing for St. John's to consider a conditional use permit..." Mergen moved to approve the minutes with the indicated corrections. Rushmeyer second. Motion carried.

Business:

- 1. St. John's Solar Project: Public Hearing for a Conditional Use Permit** – Mergen opened the public hearing at 8:15 PM. Appearing at the meeting were Brother Benedict Leuthmer from St. John's and Mr. Nathan Franzen, Mr. Jason McCarty and Mr. Mario Monesterio all from Westwood Renewables. Br. Benedict stated that they are seeking a conditional use permit to install a 400 kWatt solar array on approximately four acres of property on the northwest edge of campus in Section 36. They are in compliance with storm water regulations (Section 721) and a qualified engineer is involved and has signed off on the project. He stated that he believes that they are in compliance with all federal and state codes. A decommissioning plan (return the land to original farmland) has been developed and an escrow account has been established to pay for it. Br. Benedict stated that Stearns County is supportive of the project. A letter from Ms. Angie Berg, Stearns County Environmental Services was provided. Rushmeyer reported that Stearns County had changed the zoning ordinance (#209) to allow for St. John's to apply for a conditional use permit. Ordinance #427 provides an amendment to Ordinance #209. A letter from Paul and Nancy Moran in support of the project was read. Rushmeyer inquired about site access. Br. Benedict stated that there was adequate access via an old farm road from the west that will need to be improved. Br. Benedict also stated that St. John's has spoken with the nearest neighbor, Mr. Mike Kaeble, and that he is 'comfortable' with the plan and road access. St. John's has also met and spoken to another neighbor, the Grooter's, and will install a low screening between their property and the project. There will be a fence around the project and the site will not be lighted at night.

Rushmeyer moved to close the public hearing. Mergen second. Motion carried.
Rushmeyer moved to recommend to the Supervisors approval of the conditional use

permit by St. John's for construction of a solar facility. Mergen second. Motion carried.

2. **Spanier Property Split** – Mr. Scott Spanier appeared to inquire about splitting a property he owns on Spunk?? Lake into two separate parcels, as it was before he purchased it. Mr. Spanier was told that the area is currently zoned R5 and that he will need to have it rezoned. It was suggested that he look into rezoning the entire area since the County usually doesn't approve spot zoning requests. Another issue is that since the parcel is in the City/Township Growth Area, he will need to get approval from the Joint Powers Board, not the Township.
3. **Menke Variance Request: Public Hearing** – Mergen opened the public hearing at 8:45 PM. Mr. Patrick Menke appeared before the board to request a variance to build a storage shed closer to the road than the current ordinance permits. Mr. Menke indicated that they want to replace an old outhouse that is currently 43 feet from the center of the road with a storage shed that will be 53 feet from the center. Mr. Menke stated that he has visited with neighbors and that they support the project. He submitted letters of support by his two closest neighbors. No other feedback was received about this variance. The shed will be in line with others in the neighborhood. Rushmeyer noted that the request meets the five criteria for granting variance requests. Kremers moved to close the public hearing. Nelson second. Motion carried. Mergen moved to recommend to the Supervisors approval of the variance. Rushmeyer seconded. Motion carried.
4. **Blattner Variance Request** – Mr. Chris Blattner appeared to request a variance to construct an outbuilding/garage that will be 35 feet from the center of the road at his property on Noble Oaks Circle. It was noted that there is a pond in the area but it will not be a problem because the pond is artificial. In addition, there will not be a problem with energy easements because they are on the opposite side of the road. Kremers moved to recommend to the Supervisors to set a public hearing at 8:15 PM at the Planning Board meeting on September 30, 2009. Rushmeyer second. Motion carried.

Reports/Announcements: Rushmeyer reported that a conservation easement was recently signed for Thomsen's property in the Avon Hills. Mergen congratulated Supervisor Gondringer for the article and his photo that appeared in the *St. Cloud Times*. Rushmeyer reported that the joint planning board met last in early July to discuss issues related to neighborhoods. Mergen announced that the ancient remains of a Native American had been discovered at a construction site in Avon.

Adjournment: Rushmeyer moved to adjourn the meeting at 9:20 PM. Kremers second. Motion carried.

Next Meeting: The next meeting is September 30, 2009.

Respectfully submitted,

Stephen Saupe, Deputy Clerk
Minutes amended & approved: