

Minutes of the Meeting of the Avon Township Planning Commission

May 27, 2015

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chairman Gondringer called to order the regular meeting of the Avon Township Planning Commission at 7:30 PM. in the Main Chamber of the Town Hall. The Supervisors were also present at this meeting to hold a special meeting to consider requests for liquor licenses and approval of a preliminary plat. The Planning Commission meeting was continued (motions by Huston, seconded by Kremers, unanimous approval) on two occasions to allow both meetings to conduct business simultaneously and in a timely fashion.

Pledge: The Clerk led the Pledge of Allegiance.

Roll Call: Present – LeRoy Gondringer, Will Huston, Gerry Kremers, and Stephen Saupe. Absent – Ken Mergen. Also present – Richard Bresnahan, Kelly Martini, John Merdan, and Roger Nelson.

Approval of Agenda: Huston moved to approve the agenda as presented. Kremers second. All in favor. Motion carried.

Minutes: One typo (remove the word ‘none’ after Announcements) was corrected. Huston moved to approve the minutes of the April 29, 2015 meeting as amended. Kremers second. All in favor. Motion carried.

Public Hearings:

Braegelmann Public Hearing – At 7:45 PM, Chair Gondringer opened a public hearing for David & Linda Braegelmann for a Conditional Use Permit for a conventional subdivision in the Environmental Overlay area. No comments were received from the public. The Braegelmann’s are aware that they will lose a building credit with the existing plan. Huston moved to close the public hearing. Kremers second. All in favor. Motion carried.

Gondringer, Bresnahan and Saupe met with the County to receive clarification about this situation. This CUP only relates to the land split.

The Findings of Facts showed: (1) the proposal is consistent with existing ordinances in that a conventional subdivision is allowed in this area (7.32.2); (2) there are no other requirements the proposal must meet; (3) the land use and scenic views will not change; (4) no screening distance is required; (5) there will be no additional environmental impacts; (6) property values will not be affected; (7) no excessive traffic will be generated; (8) there will be no effect on the health, safety or welfare of the residents; (9) conforms to the Township Comprehensive Plan by maintaining existing agricultural and wooded areas; (10) will not negatively affect public services; (11) no cleanup/reclamation is required; and (12) no other issues were identified.

The Planning Commission also examined Findings of Facts specifically related to the Conventional Subdivision in the Avon Hills Overlay district and showed: (1) the proposal meets the natural resource conservation standards because there will be no change in use; (2) the

proposal supports the goals and policies of Stearns County Comprehensive plan because there will be no change in land use at this point; (3) the proposal maintains the rural character of the area because no change in use is planned; (4) the proposal still protects the natural resource amenities because no development is planned; (5) the applicant knows that no density bonus is permitted; (6) there is no planned structures at this time; and (7) no building envelope has been identified since no buildings are planned at this time.

Huston moved to recommend to the Supervisors approval of the CUP for a conventional subdivision in the Avon Hills Conservation Overlay area for David and Linda Braegelmann. Kremers second. All in favor. Motion carried.

Scheduled Business:

1. **DeLeo / Meagher Certificate of Compliance** – Mr. Sam DeLeo and Mr. John Meagher appeared for their respective clients to request a Certificate of Compliance for a parcel owned by Ms. Tricia Heitzman. Huston moved to recommend to the Supervisors approval of the Heitzman subdivision for both parties. Kremers second. All in favor. Motion carried.
2. **Haakonson Driveway Permit** – Mr. Nathan Haakonson appeared to request a driveway permit to install a U-shaped driveway at his property (32712 182nd Ave). The two entrances would be 100 feet apart. He stated that it is necessary because of lack of parking, difficulty in turning around, proximity of the septic system, and for curb appeal. It would be for use by family and visitors. He stated it is not for business use. Township Resolution 08-06-14 states that generally “one access per 40 acres . . . is granted” and that “new accesses should be a minimum of 125 feet from any other.” Huston moved to recommend to the Supervisors that approval of this driveway permit should go through the variance process and that a public hearing to consider this request be set for June 24, 2015 at 7:45 PM. Kremers second. Three in favor. One (Saupe) opposed. Motion carried.
3. **Bueckers Subdivision Preliminary Plat** – Brian & Melissa Bueckers presented a 3-lot preliminary plat for approval. This plat addresses the issue of the outbuilding being too far from the proposed building site. Huston moved to recommend to the Supervisors approval of the three-lot plat with the conditions that the final plat show (1) the legal description for the set aside area, (2) the easement to access Lot 3, and (3) that Lot 3 does not have any building entitlements. Kremers second. All in favor. Motion carried.
4. **Avon Hills Overlay Area** – The Supervisors requested the Planning Commission to review the Avon Hills Overlay area map. Issues discussed were whether map lines will include entire or partial parcels and possible inclusion of properties with permanent conservation easements. An updated County Biological Survey map will be necessary. This will be continued at the next meeting. Any proposed changes will require a public hearing.
5. **Large Truck Parking Ordinance** – this will be tabled for now.

Other & Old Business: *none*

Announcements/Reports:

1. Land Use Training Workshop – Most Planning Commission members attended a County-sponsored legal seminar that provide excellent information about land use issues.
2. County Public Hearing – will be held on June 9, 2015 at 10:05 AM to consider enactment of Ordinance 512.
3. Knife River has stated operations on May 5, 2015.

Adjournment: Kremers moved to adjourn the meeting at 9:27 PM. Huston second. All in favor. Motion carried.

Next Meeting: The next meeting is June 24, 2015 at 7:30 PM.

Respectfully submitted,
Stephen G. Saupe, Clerk

Approval:

LeRoy Gondringer, Chair

Date

Attest:

Stephen G. Saupe, Clerk

Date