

Minutes of the Meeting of the Avon Township Planning Commission

April 27, 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, Rich Sanoski, Andrew Wensmann and Lori Yurczyk (*Chair*). Absent – Clerk Steve Saupe. Also present: Marion Gondringer (*Deputy Clerk*), and Kelly Martini (*Treasurer*).

Approval of Agenda: Sanoski moved to approve the agenda as amended. Blonigen second. All in favor. Motion carried.

Minutes: Blonigen moved to approve the minutes from the March 30, 2022 meeting as presented. Sanoski second. All in favor. Motion carried.

Public Hearings: Public Hearing opened at 7:10 for the **Amundson Variance**. Tim Amundsen attended via Zoom. Alisse & Tim Amundson, 19308 Two Rivers Road (Avon), are requesting a variance for a deck and shed to be 5 and 20 feet, respectively, closer to the road than is currently permitted by ordinance. The shed is a replacement of an existing (10' X 15' or 150 sq. feet) but was built larger (10' X 16' or 160 sq. feet). It remains unpermitted at the larger size since the Amundsons did not realize a permit was needed. The shed is on runners. In addition to the shed, the Amundson's replaced a rotting deck on the side of the cabin and extended the deck to wrap around the house to the west making this new deck addition 58.5 feet from the COR, or 4.5 feet closer to the road than is permitted. They did not apply for 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 was required. An after-the-fact Construction Site Permit (CSP) and a variance for lake setback was granted by Stearns County for the deck. The Amundson's require a road setback variance from the Township for both the deck and shed.

Sherry Fredrick (neighbor) attended this meeting representing herself and multiple neighbors and was opposed to the variance because the structures were built without permits. Their concern is that if this is allowed it sets a precedence for others to build first and permit after. Yurczyk stated that residents are always supposed to get the proper permits for any construction that is completed and noted that the county issues permits, and the Township is only tasked with consideration for the road setback in this case. Fredrick stated that residents feel approving of this variance will be setting a precedence for all residents in reference to future permits that may or may not be applied for. Amundson stated that they were not aware of the need for permits in the process that was undertaken. He stated this was not an intentional action on their part. Amundson stated that since the shed is on runners, moving it back was explored with the county. However, the location of the septic system, a tree, the property line, and the lake prevent that solution. At Yurczyk's request, Amundson stated that he would forward to the Town the actual permit application and the permit issued. Yurczyk moved to close the public hearing for the Amundson Variance request at 7:32. Second by Sanoski. All in favor. Motion carried.

Gondringer read the decision of the County as granting the deck permit with the condition that the Town approve the variance request to be closer to the road than allowed. County's conditions were that the after-the-fact construction site application and fees be submitted to Environmental Services, the fees were to be paid for the permits, there be a 5-foot no-mow buffer at the lakeshore, and the Town issued the variance for the road setbacks needed. Finding of facts was processed.

Blonigen moved to recommend approval of the variance request for road setbacks of 5 feet closer to the road for the deck, and 20 feet closer to the road for the shed, with the condition that Amundsons provide a copy of the application submitted to the County in reference to the after-the-fact permit applied for, the construction site information, as well

as the decision made by the County. Wensmann second. All in favor. Motion carried.

Scheduled Business:

1. **Plat Process review and update** – discussion took place concerning extending the permits, variances, IUP, expiration dates to one or two years instead of 6 months. Sanoski moved to recommend to the Supervisors to change the expiration date for all permits from six months to one year. Wensmann second. All in favor. Motion carried.
2. **ARPA Broadband** – Mike Williams, Stearns County Administrator, appeared to provide information to the Town concerning the proposed broadband expansion to unserved and underserved in portions of the County. (Unserved is less than ten mb per second, and underserved is less than 25 mb per second) The county board has approved the use of 16 million dollars of the ARPA funds to be used for broadband, in an effort to improve equity in broadband availability. The County is requesting funding from both Township and cities for the expansion.

Stearns County has decided to return half of the CARES amount given to them by Avon Township to be used to fund all or a portion of the amount being requested of Avon Township. In essence, the County would return to Avon Township a total of \$23,614 to be used for this request. Further discussion took place concerning the amounts requested for Phase I & II, the meaning of the future pledged amount requested, how many residents may be affected (216) and implementation of the project.

Williams explained: Phase I = \$17,336, Phase II = \$9,800, Future = \$24,850 with \$23,614 credited back to Avon Township for this purpose from the County. Williams stated that the Future amount would be a pledge from the Town. Yurczyk asked what would happen in Avon Township if the Township could not provide these dollars. Williams said that most likely Avon Township would not be included in that case.

Discussion took place concerning the equity of spending Township dollars to benefit a portion of the Township and the complication that the Board has allocated funds availability elsewhere. The board feels more discussion is necessary and asked Williams for additional information regarding how aggressive the county will be in seeking grant dollars at the state and federal levels.

3. **Newsletter Ideas** – Questions to be discussed with Supervisors: who would write the newsletter, what it would contain, and how to distribute. Ideas suggested included an Open House, road right-of-way concerns in reference to plowing, trees, mailboxes and breakaway posts, use of the Hall, Town funding, compost site, website, burn permit process and clean up.

Open House – Ice Cream Social – possibly September 12. Purpose would be to build community in Avon Township. Ice Cream Social was approved by voters at the Annual Meeting. PC members feel the Hall and Maintenance shed should be open for resident visits at that time as well.

4. **Xcel Power pole** work within the road right-of-way. Yurczyk would like to see more accurate diagrams which do not include poles outside of the Township limits. Motion by Sanoski to recommend to the Supervisors the adoption of a resolution to allow Xcel to replace power poles within the road right-of-way in Avon Township. Second by Blonigen. All in favor. Motion approved.

5. **Policy Review**

- a. Resolution 08-05-20: Utility Work in Road Right-of-Way. Yurczyk motion to address this at the Supervisors Meeting. Motion died for lack of a second. Item is tabled.

- b. County Ordinance amendments – considerations were discussed in reference to minor and major plats. It was felt that the Town should be able to view both the preliminary plat and the final plat before approved at the

county level. In the best interest of our citizens, motion by Blonigen to recommend to the supervisors to leave the plate process review as it is. Second by Wensmann. All in favor. Motion approved.

- 6. **Elect Chair and Vice Chair** – Sanoski moved to nominate Yurczyk as Planning Commission Chair for the next year. Second by Blonigen. All in favor. Motion carried. Yurczyk nominated Blonigen to remain as Vice Chair for the next year. Sanoski second. All in favor. Motion carried.
- 7. **County ordinance amendments** – In reference to a property survey being required if the building setback is less than 1.5 times the required setback. Yurczyk stated that at the county meeting she spoke to the county representatives who clarified that this survey requirement would not apply to land zoned A-40. Yurczyk expressed the opinion that this survey requirement would cause a lot of cost to residents.
- 8. **Taylor Kelley** Certificate of Compliance – No update.
- 9. **Tractor purchase** – Gondringer and Koopmeiners purchased a tractor, loader, front wheel assist with cab. A rotating beacon has been ordered. Motion by Sanoski to recommend to the Supervisors the purchase of Avon Township decals on the tractor. Second by Yurczyk. All in favor. Motion carried.

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

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

- Supervisors Meeting – May 4; 7 PM
- May PC Meeting – May 25; 7 PM

Adjournment: Sanoski moved to adjourn the meet at 9:37 PM. Wensmann second. All in favor. Motion carried.

Respectfully submitted,
Marion Gondringer, Deputy Clerk

Signature: _____

date: April 29, 2022

Approval:

date: _____

Lori Yurczyk, *Planning Commission Chair – signature*