

# Minutes of the Meeting of the Avon Township Planning Commission

October 30, 2024

Avon Township Hall (16881 Queens Road, Avon 56310)

**Call to Order:** Chair Yurczyk called to order the meeting of the Avon Township Planning Commission (PC) in the Main Chamber of the Town Hall. The meeting was available via Zoom (visit the URL: <https://us02web.zoom.us/j/8325486945>; PIN: AvonTown), but the system was not working properly this evening. The meeting started a little late in an attempt to fix it.

**Pledge:** The Pledge of Allegiance was recited.

**Roll Call:** Present – Craig Blonigen, Rich Sanoski, Andrew Wensmann, and Lori Yurczyk (*Chair*). There was a quorum. Also present – Marion Gondringer (Acting Clerk), LeRoy Gondringer & Kelly Martini. Leave of Absence – Stephen Saupe. A political science class, assigned to observe the meeting, was welcomed.

**Approval of Agenda:** Sanoski moved to approve the agenda as presented. Wensmann second. All in favor. Motion carried.

**Minutes:** Sanoski moved to approve the minutes from the September 25, 2024 meeting as presented. Blonigen second. All in favor. Motion carried.

**Public Hearings:** *none*

**Public Comments:** *none*

## **Business:**

- Streit Certificate of Compliance** – Keith Streit (17026 370<sup>th</sup>. Street) appeared at the meeting to request a Certificate of Compliance (CC) for both him and his brother Lowell Streit (37326 175<sup>th</sup> Ave., Avon). They want to attach property from their parents (PID 03.00731.0030) to their parcels. Mr. Streit said that he wants to obtain a little more agricultural land and also wants more of a buffer around his home. He further stated that there were no additional building credits available on the land. Blonigen moved to recommend to the Supervisors to approve Certificates of Compliance for Mr. Keith Streit (PID 03.01451.0202) and Mr. Lowell Streit (PID 03.01451.0203) to attach a parcel from their parents to their properties. Wensmann second. All in favor. Motion carried. A separate Certificate of Compliance, including fee, may be needed for each.
- Ottenberg/Diem** – Mr. Ian Diem, representing the Kathryn A Ottenberg REV Trust, 36025 Co Rd 155, appeared at the meeting to seek a Certificate of Compliance, approval for a Construction Site Permit, and an Access permit for a recently purchased parcel on 360<sup>th</sup> Street. The certificate of compliance is required because when the property was purchased the title company included the three parcels in a single deed, when the original intent was to be three separate parcels. Sanoski moved to recommend to the Supervisors approval of a Certificate of Compliance for the Kathryn Ottenberg REV Trust to split 40 acres from the 80-acre parcel. Wensmann second. All in favor. Motion carried.

A CSP is required by the County for the new home to be constructed. The Township is required to sign the permit primarily to confirm that an Access Permit is obtained, if necessary. Mr. Diem will require an Access permit for his new driveway that will access 360<sup>th</sup>, which is a minimum maintenance road. Accordingly, the northern portion of this road has had no maintenance done to it because it has only been a field road access. During the Access Permit review the PC discussed the locations for the 911 sign and mailbox. The mailbox will likely be placed on the county road while the 911 sign would be on 360<sup>th</sup> Street next to the Diems' driveway.

Mr. Diem was advised to contact and confirm with the Post Office and Fire Department/County regarding siting of the mailbox and 911 sign, respectively. It was noted that the driveway will likely require a culvert. Sanoski moved to recommend to the Supervisors' approval of an Access Permit off 360<sup>th</sup>. Blonigen second. All in favor. Motion carried. The PC also generally agreed to sign the CSP for Mr. Diem since he will obtain an Access Permit. The Deputy Clerk will sign the CSP.

Mr. Diem suggested vacating the road. This will be addressed with the Supervisors.

3. **Shady's Variance Response** – The County will hold a Public Hearing to consider an after-the-fact variance to exceed the impervious surfaces limits. Because the initial work to exceed the limit was done by a previous owner, the County waived the fee for the hearing. The PC generally agreed that this was a concern and might set an unwelcome precedent. The PC was also concerned that planned structure was in the Township road right-of-way. Their proposed structure appears to be only 12.8 feet from the line based on the survey.
4. **Cannabis Zoning** – The PC discussed the Cannabis Zoning rules and generally agreed that it is unlikely to be a concern in the Township because it is estimated that only 12 total permits will be issued in the County and it is unlikely they will be in rural areas. If the Town wants to handle permitting, it would require the MOU to be changed and an ordinance would need to be drafted. It is also likely that the MOU has to be updated to indicate the Town does not want to handle the Cannabis and to leave it to the County. The need for a change to the MOU will have to be researched by the Clerk. If the MOU has to be changed it is likely the Clerk will need to get assistance from the County and no legal review should be required. Blonigen moved to recommend to the Supervisors to not get involved in Cannabis permitting and let the County handle Cannabis permitting/zoning issues. Sansoki second. All in favor. Motion carried.
5. **Avon FD Calendar** – The Avon Fire Department is working on the 2025 calendar and noted that the December 2025 PC meeting is scheduled for New Year's Eve. They inquired whether that meeting would be held or not. The PC discussed assorted options. Sanoski moved to recommend to the Supervisors to reschedule the December 2025 PC meeting to December 17, 2025 to avoid the holidays (Christmas Eve and New Year's Eve). Blonigen second. All in favor. Motion carried.

**Reports/Announcements: Pelican Lake Road Driveway Issue** – It was reported that the lawsuit regarding the driveway/fence issues between two neighbors on Pelican Lake Road has been settled. One interesting outcome from the trial is that a court ruled years ago that the land in front of your home (your frontage), which could include the Town road right-of-way, can be used as long as it is not required by the Township for safety. Using that logic, the fence in the Pelican Lake Road ROW is not a problem and that the Town acted properly in this situation.

**Next Meeting:** The next PC meeting is November 27, 2024 at 7:00 PM (see 'Call to Order' for the Zoom log-in).

**Other Meetings:** Other upcoming meetings/events include (see 'Call to Order' for the Zoom log-in):

- General Election – November 5, 2024; 7 AM – 8 PM
- Supervisors Meeting – November 6, 2024
- December PC meeting – December 18, 2024 (rescheduled)
- January Supervisors meeting – January 8, 2025 (rescheduled)

**Adjournment:** Sanoski moved to adjourn the meeting.

**Respectfully submitted,**  
Stephen G. Saupe, Clerk

**date:** November 4, 2024

**Approval:**

\_\_\_\_\_  
Lori Yurczyk, *Planning Commission Chair – signature*

**date:** \_\_\_\_\_