Avon Township Planning Commission Meeting – *October 28, 2026*
Agenda Packet

1. Call to order – 7:00 PM; Avon Township Hall, 16881 Queens Road, Avon, MN 56310.
2. Pledge of Allegiance
3. Roll Call
4. Approval of agenda
5. Approval of minutes – August 26, 2026 (*correction made, highlighted*) & September 30, 2026
6. Public Hearing: Lumley CUP for an ag-oriented business
7. Public Comments
8. Scheduled Business
   a.
   b.
9. Other Business *(added at meeting)*
   a.
   b.
10. Policy Review
    a.
    b.
11. Old/Future Business
    a. Data center moratorium
    b. Right-of-way work regulations/ordinance/problems
    c.
12. Reports/Announcements
    a.
    b.
13. Announcement of next scheduled meeting: November 25, 2026 @ 7:00 PM
14. Other Upcoming Meetings/Events
    a. General Election – November 3; 7 AM – 8 PM
    b. Supervisors Meeting – November 4, 2026; 7:00 PM
    c.
15. Adjourn

Note: *The complete agenda is available at www.avontownshipmn.gov.* All Town Meetings are available via Zoom at https://us02web.zoom.us/j/8325486945. Passcode: AvonTown. The Clerk may record the proceedings of this meeting to ensure accuracy of the minutes. The recording will be deleted upon completion of the minutes and will not become public (Resolution 01-03-18).

DRAFT Minutes of the Meeting of the Avon Township Planning Commission

August 26, 2026

Avon Township Hall (16881 Queens Road, Avon 56310)

Call to Order: Chair Kelly Martini called to order the meeting of the Avon Township Planning Commission (PC) at 7:00 PM in the Main Chamber of the Town Hall. The meeting was available via Zoom at the URL: https://us02web.zoom.us/j/8325486945 (PIN: AvonTown).

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Craig Blonigen, Kelly Caspers, Kelly Martini, Stephen Saupe, and Andrew Wensmann. There was a quorum.

Approval of Agenda: A discussion of the data center moratorium was added to the agenda. Blonigen moved to approve the agenda as amended. Wensmann second. All in favor. Motion carried.

Minutes: Blonigen moved to approve the minutes from the July 29, 2026 meeting as presented. Caspers second. All in favor. Motion carried.

Public Hearings: *none scheduled*

Public Comments: *none*.

Business:

16. **Streit Plat Review** – Keith Streit, Dale Streit, and members of the Streit family, appeared at the meeting to request approval for a preliminary plat to split an approximately 40-acre property (37488 175th Ave; 03.01451.0200) owned by his parents, Stanley and Mary Streit. The Streit's said that the parcel would be divided into four: (a) 2-acre parcel with the parent's home; (b) 3 acres (east side); (b) 20 acres (north side) with access to 175th Avenue just north of the 2-acre parcel; and (d) 14 acres (south side). The 3-acre parcel would be accessed via an easement from the south. The 14-acre parcel would be attached to the property to the south. The easement shown along the north side of the parcel will not be included in the final plat. The Streit's acknowledged that there would be no building credits associated with any of the parcels. After discussions, Blonigen moved to recommend to the Supervisors to approve the preliminary plat presented by the Streit family on the condition that the easement to the 3-acre parcel is shown and that the easement along the north side of the property is removed. Wensmann second. All in favor. Motion carried.

17. **Parkwood Court Update** – the Clerk provided a document summarizing past Township actions regarding Parkwood Court that dated to 2022 when Parkwood Drive was resurfaced. Both neighbors, Kellie & Shawn Primus and Holly & Jeremy Maursted, were present. The Primus's reported that the survey has been completed. The Maursted's provided a letter describing their position on the vacation; it will be presented to the Supervisors. The Primus's and Maursted's disagree about how the cul-de-sac should be divided. Blonigen recommended that it would be in their best interest to try and come to an agreement to avoid excessive attorney fees. The Supervisors will continue this discussion at the September meeting.

18. **Joint Planning Meeting** – There will be a meeting of the Joint Planning Board in October to discuss the Orderly Annexation Agreement and a complaint about a short-term rental on Shorewood Drive. No other topics for the meeting were suggested.

19. **Data Center Moratorium** – At their August meeting the Supervisors approved a one-year moratorium to provide time to discuss whether the Land Use and Zoning Ordinance should be amended to prohibit data centers in the Township. The PC was authorized to study the issue. Diane Noll, Albany Township Clerk, suggested organizing a team of local officials to jointly study the situation. No specific plan for the study was suggested. The PC generally agreed to wait to see how a major law suit by Erin Brokovich sorts out and to keep watching the situation for the next several months.

20. **Policy/Form Review** – the PC generally agreed that we are up-to-date on our forms/policy review.

Old Business/Reports/Announcements: *none*

Next Meeting: The next PC meeting is September 30, 2026 at 7:00 PM *(see 'Call to Order' for the Zoom log-in)*.

Adjournment: Blonigen moved to adjourn the meeting at 8:10 PM. Wensmann second. All in favor. Motion carried.

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

- Fifth Monday – August 31, 2026; 7 PM
- Supervisors Meeting – September 2, 2026

Respectfully submitted, **date**: August 20, 2026
Stephen G. Saupe, Clerk

Approval:

_____ **date**: _____
Kelly Martini, *Planning Commission Chair – signature*

DRAFT Minutes of the Meeting of the Avon Township Planning Commission

September 30, 2026

Avon Township Hall (16881 Queens Road, Avon 56310)

Call to Order: Chair Kelly Martini called to order the meeting of the Avon Township Planning Commission (PC) at 7:00 PM in the Main Chamber of the Town Hall. The meeting was available via Zoom at the URL: https://us02web.zoom.us/j/8325486945 (PIN: AvonTown).

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Craig Blonigen, Kelly Caspers, Marion Gondringer (Acting Clerk), Kelly Martini, and Andrew Wensmann. Absent – Stephen Saupe. There was a quorum.

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

Minutes: The minutes were clarified to indicate that the PC recommended to the Supervisors approval of the Streit plat. Blonigen moved to approve the minutes from the August 26, 2026 meeting as amended. Martini second. All in favor. Motion carried. The revised minutes will be reprinted and signed at the next meeting.

Public Hearings: *none scheduled*

Public Comments: *none*.

Business:

21. **Lumley CUP for an Ag-Oriented Business** – The Lumley's plan to sell produce from their new greenhouse at 37880 145th Avenue, Avon. In order to do so, it will require a CUP for an ag-oriented business. The Town is using the basic CUP application form that is used by the County. Wensmann moved to recommend to the Supervisors to set a public hearing at the next PC meeting on October 28, 2026 at 7:15 PM. Caspers second. All in favor. Motion carried.

22. **Reiter Encroachment Agreement** – Ben Pfleuger, Watab Diversified, was present to request an encroachment agreement for Keith and Rebecca Reiter, Shorewood Drive, Avon. He said he has been involved in the design for a septic drainfield which would encroach into the utility easement about 10 feet. Some of the berm and landscaping will encroach into the Township road right-of-way. The PC inquired whether the berm would affect the road. Mr. Pfleuger said it wouldn't. Martini noted that the homes are tightly packed in the area and close to the lake so that there aren't too many other options. Blonigen moved to recommend to the Supervisors to approve the encroachment agreement for Keith and Rebecca Reiter. Caspers second. All in favor. Motion carried.

23. **Joint Planning Board Meeting** – The Joint Planning Board will meet on October 26th to discuss a complaint about a short-term vacation rental, a plat submitted by Scott Spanier, and the Orderly Annexation Agreement. One additional item to add was what occurred with the Xcel inquiry regarding a substation.

24. **Data Center Moratorium** – the town has a moratorium in place. The PC recommends taking no action until various lawsuits, etc., play out in the next few months.

25. **Policy/Form Review** – the PC generally agreed that we will modify and use the County CUP form for an ag-oriented business at the next meeting.

26. **Parcel Size** – there was a discussion about whether the Township should allow a split of property less than 5 acres. One disadvantage is that it would decrease land available for agriculture and that residents don't need a five-acre lawn. The general consensus was that no change is needed in policy at this time.

Old Business/Reports/Announcements: Blonigen announced that the road resurfacing projects on St. Anna Drive and Queens Road are nearly complete. In addition, new programmable thermostats have been installed in the Town Hall.

Next Meeting: The next PC meeting is October 28, 2026 at 7:00 PM *(see 'Call to Order' for the Zoom log-in)*.

Adjournment: Blonigen moved to adjourn the meeting at about 7:50 PM. Meeting adjourned.

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

a) Supervisors Meeting – October 7, 2026; 7:00 PM
b) Joint Planning Board meeting – October 26, 7 PM; Avon Town Hall
c) Public Accuracy Test – October 27; 5 PM
d) General Election – November 3; 7 AM – 8 PM

Respectfully submitted, **date**: October 3, 2026
Stephen G. Saupe, Clerk
(minutes prepared from recording)

Approval:

_____ **date**: _____
Kelly Martini, *Planning Commission Chair*

Avon Township Planning Commission
Conditional Use Permit (CUP) Recommendation

Avon Township
Stearns County
State of Minnesota
IN RE: Conditional Use Permit Request

Administrative Information

Morgen Lumley & Victor Lumley, 409 Main Street East, St. Stephen (MN 56375) have applied for a conditional use permit for an ag-oriented business on their property at 37880 145th Avenue, Avon (03.00703.0000), to sell produce from their greenhouse pursuant to Sections 6.6 & 9.3.5B of Stearns County Zoning Ordinance number 439.

Pertinent Ordinances: 6.6 & 9.3.5B of Stearns County Zoning Ordinance number 439

Property Legal Description: (*append*)

Property Address: 37880 145th Avenue, Avon

Parcel ID#: 03.00703.0000

Township 125 **Range** 30 **Section** 1

**= = = =

The Planning Commission recommends that the approval be conditioned on the following stipulations:

1.

2.

3.

The Planning Commission recommends disapproval for the following reasons:

1.

2.

3.

BY:

_____ _____

Avon Township PC Chair – signature Date

_____

Avon Township PC Chair – print

ATTEST

_____ _____

Avon Township Clerk – signature Date

_____

Avon Township Clerk – print

{Avon Township Seal}

Avon Township CUP Findings of Facts for an Agriculturally-Oriented Business

Name: Morgen Lumley & Victor Lumley **Date**: October 28, 2026 **Type**: CUP

Request: Morgen Lumley & Victor Lumley, 409 Main Street East, St. Stephen (MN 56375) have applied for a conditional use permit for an ag-oriented business on their property at 37880 145th Avenue, Avon (03.00703.0000), to sell produce from their greenhouse pursuant to Sections 6.6 & 9.3.5B of Stearns County Zoning Ordinance number 439.

Findings shall be made in consideration of an applicant's proposal. Findings should reference specific sections of applicable ordinances. The following are examples of findings, but are not limited to these areas.

1. How will this business/use relate to agriculture?
2. Describe the existing structures and proposed structures.
3. Number of employees.
4. Proposed days and hours of operation.
5. What road access will be used? Are you proposing any changes to the access or a new access?
6. How will you manage erosion and storm water on your property?
7. Will your project end up with more than one-acre of impervious surface?
8. What is the existing and proposed lighting on the property?
9. Describe the existing and proposed parking, include surface and number of parking spaces.
10. What will be the general traffic circulation pattern, including entrance and exit?
11. Describe the existing or proposed outdoor storage and display areas.
12. Describe existing and proposed screening to buffer the use/loading and unloading/outdoor structures from adjacent uses and roads.
13. Describe any existing or proposed signage. If on a building, provide elevation.
14. Describe any noise, odor, dust or other nuisance from the proposed use and how it will be mitigated.

15. Describe the sanitary facilities that will be provided and how waste disposal will be handled.

16. Will the business use any hazardous materials or generate hazardous wastes. If so, how will these materials be stored and disposed of?

17. Is the proposal consistent with existing Township ordinances? Why or why not? Specify the applicable section of the ordinance_____.

18. Are there any other standards, rules or requirements that the proposal must meet?

19. Is the proposal compatible with the present and/or future land use in the area? Why or why not? Will any scenic views be impacted by the proposed use?

20. Is screening or separation distance necessary? If so, describe.

21. Are there any potential environmental impacts (ground and surface water, air quality, wellhead protection area) and, if so, how are they addressed?

22. Will the proposal affect the property values of the area in which it is proposed?

23. Will the proposal generate excessive traffic or impact the safety of area roads?

24. Will the proposal affect the general health, safety and welfare of residents?

25. Does the proposal conform to the goals and objectives of the Township Comprehensive Plan? Explain.

26. Will the proposal negatively impact public services and facilities such as schools, parks, streets, or utilities? What potential is there for the proposal to overburden the service capacity? How are these issues addressed by the proposal?

27. Is cleanup/reclamation required and has applicant provided financial assurance if so?

28. Other issues pertinent to this proposal?

6.6 Agriculturally Oriented Business

An agriculturally oriented business shall be subject to the administrative requirements of *Section 4.8 of this Ordinance* and the following standards:

A. The use supports agriculture and rural character.
B. The site shall be served by a minor collector or higher functional classification of roadway, except that the proposed use may be served by a lesser functional class of roadway if the responsible road authority grants written permission for such use at the proposed location.
C. The business shall be an agriculturally-oriented business.
D. All structures, including temporary structures, shall meet the minimum setback requirements of the district in which it is located.
E. Outdoor storage and display areas may be allowed as an accessory use to the agriculturally-oriented business provided they meet the structural setbacks for the applicable zoning district and the performance standards contained in *Sections 6.46 and 6.48 of this Ordinance*.
F. The grounds and all structures shall be maintained in a clean and safe manner.
G. An Eating and Drinking Establishment accessory to an Agriculturally Oriented Business shall be licensed by the County and meet the provisions of *Stearns County Ordinance Number 114*.
H. Lodging accessory to an Agriculturally Oriented Business shall be licensed by the County and shall meet the requirements of *Stearns County Lodging Ordinance Number 661*.

4.8.2 Criteria for Considering Conditional Use Permits

The Board may grant a conditional use permit, provided the proposed use is listed as a conditional use for the district, or as needing a conditional use permit in general or performance standards, and upon a showing by the applicant that the requirements and standards of *this Ordinance* or any other applicable ordinance, rule or statute will be met, the use conforms to the comprehensive plan and is compatible with the existing neighborhood. In determining whether the proposed use is in harmony with the general purpose and intent of *this Ordinance* and the Comprehensive Plan, the Planning Commission and Board shall consider, but not be limited to, the following:

A. The effect of the proposed use on the Comprehensive Plan including but not limited to, consistency with the relevant Comprehensive Plan Policy Area; and
B. The ability of the proposed use to meet the standards of *this Ordinance* or any applicable ordinance, rule or statute; and
C. The ability of the use to be compatible or separated by distance or screening from adjacent land; and
D. The effect of the proposed use on groundwater, surface water and air quality; and
E. The effect of the proposed use on property values and scenic views in the surrounding area; and
F. The following should be evaluated when the Planning Commission and Board considers a conditional use permit for a shoreland alteration:
   (1) The compatibility of the proposed alteration with adjacent land uses;

6.25 Greenhouses and Nurseries

Greenhouses and nurseries shall be subject to the administrative provisions of *Section 4.22 of this Ordinance* and the following performance standards.

A. Retail sales shall be allowed and shall be accessory to the principal nursery, greenhouse or tree farm. The retail sale of products or materials is prohibited in the R-1 District.
B. No sale of product shall take place in the public right-of-way of any Federal, State, County or Township roadway.
C. All structures, including temporary structures, shall meet the minimum setback requirements of the district in which the use is located.
D. The exterior storage of landscaping equipment and storage areas shall be screened from view of adjacent residential uses and Federal, State, County or Township roadways in accordance with *this Ordinance*.