

## Town of Eldorado Plan Commission (EPC) Meeting Minutes

January 16, 2024

Plan Commission Member Attendees (5) and terms:

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Staff or Town Board Member Attendees:

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*Note: As of June 2021, minutes no longer include public attendance. Names will be included for agenda items or contributions under public comments or as deemed necessary by EPC. As of May 2022, public comments are limited to the designated times during the meeting.*

**Call to Order, Pledge of Allegiance and Agenda Review:** Meeting called to order by White at 7:00 p.m. followed by pledge of allegiance.

**Public Comments** *(Please note this is the Plan Commission’s monthly business meeting, not a public hearing. Individuals wishing to speak on any item should present their comments now under this “Public Comments” agenda item. In addition, although the Plan Commission can receive comments on matters not included on this agenda, it cannot discuss or take action on these matters. Each commenter will be limited to a total of three consecutive minutes under this agenda item.):* Public comments made by Norb Chesney

**Review & Approve Minutes:** EPC reviewed the EPC meeting minutes from December 12, 2023. Five copies circulated to public per May 2021 decision. Motion made by Yoder/White to approve minutes. Motion carried 3-0-1 (Rickert abstained due to absence for December meeting).

**Status Update on Fond du Lac County Subdivision Ordinance Steering Committee:** The committee met earlier in the day. Borski shared informational items of relevance to the Town:

- A single lot can end up having two parcel identification numbers because the lot spans two different school districts, sewer districts, Towns, etc. This is allowed under the County Subdivision Ordinance but does create future issues.
- Sanitation permits are issued after a Certified Survey Map (CSM) is recorded. The percolation (“perc”) test submitted with the application to the Town is just an initial step. The sanitation permit is based solely on the plumbing code and not other items such as wetland delineation.
- A lot created without a perc test or intent to build or unbuildable, even if it meets minimum lot dimensions for a buildable lot, is either labeled as an “Outlot” (vs. a “Lot”) or will include a note on the CSM to obtain a sanitation permit prior to building. Once a sanitation permit is obtained, the County does not require the CSM to be updated. Since the note is not a restrictive covenant, it does not have to be updated. This was recently experienced during the Stahmann application where the County had the Surveyor rename one of the proposed lots as an Outlot since there was no perc test performed on the farmland despite the parcel meeting minimum dimensions for a buildable lot.
- The revised County Subdivision Ordinance is proposed to require remnants of only 10 acres or less to be included in the proposed CSM (currently 35 acres or less).

- The maximum of four lots created within a 5-year timeframe is proposed to remain a requirement.

**Information on December 2023 Legislative Updates to Farmland Preservation Program:** the Department of Agriculture, Trade & Consumer Protection (DATCP) shared a fact sheet titled, *Legislative Updates to the Farmland Preservation Program*, dated 12/2023. The fact sheet provides updates to terms and tax credits for participants in the Farmland Preservation Program. There were no changes to the Farmland Preservation Zoning.

**Continued Discussion of Comprehensive Plan Update 2040 Ch. 2 (Action Items for Goals included in the Comprehensive Plan Update 2040 adopted 9/28/2020):** Brief discussion on the Town Facebook page and future Town newsletter. No other updates.

**Status Update of Applications/Permits in Progress of Completion:**

- a. Application by Wisconsin Power & Light Company (Alliant) for Extension of Deadline for Completing Conditions of Conditional Use Permit #ELD-20-001 –
  - Following the public hearing on November 14, 2023, the Town Attorney sent a letter to Alliant dated January 5, 2024 outlining Town concerns regarding the substation under construction. Greg Ardrey, Construction Manager from Alliant for the Anderson Creek Substation, attended January 16, 2024 to provide a verbal update and answer questions.
  - Jeff Meisenburg, Town Chairman for TN of Friendship, and Jenny Reinhold, neighbor to the substation on Townline Rd, also were in attendance and verbally expressed concerns. Katie Hari, neighbor to the substation on Townline Rd, provided written comments to EPC prior to the meeting.
  - Ardrey informed EPC there have been material delays for the American Transmission Company (ATC) portion of the project that resulted in a delay in completing the approved landscaping within the timeframe outlined in the CUP. Materials are currently anticipated by the end of January 2024 but have been delayed numerous times. ATC has their main line along I-41. ATC is installing steel poles to run lines to the substation. The ATC plan was not submitted to Alliant at the time of the CUP application and was therefore unknown. All Alliant wires are underground to ATC and the old overhead lines are remaining or being replaced with underground lines. All ATC lines are overhead. ATC requires 80 feet clearance on either side of their lines.
  - Ardrey agreed to provide meters to the concerned neighbors prior to energizing the lines. Per Ardrey, the meters are looking for stray voltage. When the system is balanced, the current stays on the hot leg. A cow's level of resistance is approx. 500 ohms and is much lower than a human's resistance which is approx. 1,000-1,500 ohms. A pig's resistance is around 700-800 ohms. Electro magnetic force (EMF) impacts come from the substation and lines. An agricultural rep will come put meters for both stray voltage and EMF at the residences. The readings will be taken and then removed (not left in place) prior to energizing the station and then a second set of readings taken after the substation is energized. High powered overhead lines have 138,000 kilovolts (138,000,000 volts) but it is safe at the base of the pole. The buzz from overhead lines is worst under humid conditions. (Secretary's note: The voltage  $V$  in volts (V) is equal to the current  $I$  in amps (A), multiplied by the resistance  $R$  in ohms ( $\Omega$ ).)
  - Maintenance lights are permanently installed at the substation and should not be on unless workers are physically performing maintenance. Ardrey will make sure these are not left on at night. The only light that should be on is a single overhead light at the door to the building.
  - A revised landscape plan will be submitted to the Town prior to the next public hearing that includes any changes previously made with the residents so the Town has the most up-to-date plan.
  - At the recommendation of Norb Chesney, Ardrey agreed to submit a schedule of what is left to accomplish in layman's terms for the Town and residents which will be provided in advance of the next meeting to address the lack of communication.
  - Additional information will also be provided on the drainage concerns; however, the property has been inspected by the DNR twice during the project. The retention infiltration basin still needs to be installed. So far, only erosion control has been done around the Creek which DNR inspected.

- Meisenburg and Reinhold discussed their concerns and how the nearby residents have been severely affected by this project, including light pollution, noise, damage to their homes from vibrations, unfulfilled landscaping agreement, lack of proactive communications, unacceptable responses by Alliant and stress. Pictures and videos will be shared with Ardrey. Ardrey will contact ATC with concerns regarding their work.
- Review of Alliant’s application for an extension to complete landscaping will continue with another public hearing on February 13, 2024. EPC asked Ardrey to submit the items discussed by February 5<sup>th</sup> for distribution to EPC members & review in preparation of the hearing.
- Ardrey stated the transmission poles will not be erected until these issues are resolved.
- EPC called for open communication by Alliant with the neighbors.

b. Existing Conditional Use Permits – Hass CUP #ELD-18-001 is scheduled for the second 3-year review in March 2024. This non-farm residence has not yet been constructed.

**Review of General Inquiries Since December 12, 2023:** Borski received two inquiries regarding property northwest of CR I & Dike Rd. A concept plan application may be submitted for the February EPC meeting.

**Public Comments** (*Individuals wishing to speak on any agenda item discussed above should present their comments now under this “Public Comments” agenda item. Each commenter will be limited to a total of three consecutive minutes under this agenda item.*): None

**Next Meeting Date & Tentative Agenda:** February 13, 2024 – Public hearing for Alliant; Concept Plan by Norb Chesney for CSM and future CSM/rezone from A-1 to residential; possibly a Concept Plan for property northwest of CR I & Dike Rd; and standing agenda items.

*Note: Regular EPC meetings are tentatively scheduled for 7:00 p.m. the second Tuesday of each month.*

**Adjourn:** Motion made by Yoder/Rickert to adjourn the meeting. Motion carried 4-0. Meeting adjourned at 8:52 p.m.

Respectfully submitted,

Jenna Borski  
Member/Secretary  
Town of Eldorado Plan Commission