

Town of Eldorado Plan Commission (EPC) Meeting Minutes

July 9, 2019

Plan Commission Member Attendees (5):

x	Norbert Chesney, Chairperson	x	Jenna Borski, Secretary	x	Bill Averbeck, Town Board Liaison
x	Lee Wenker, Vice Chairperson	x	Jeremy Brenner, Member		STAFF: Attorney Matt Parmentier, Edgarton, St. Peter, Petak & Rosenfeldt

Public Attendees:

Gary Miller, Town Chairman	Kathy Thunes, ECWRPC				

Call to Order and Agenda Review: Meeting called to order by Norbert Chesney at 7:00 p.m.

Review of Minutes: EPC reviewed the minutes from June 11, 2019. Motion made by Brenner/Wenker to approve minutes. Motion carried 5-0.

Public Hearing – Application for Rezoning Exclusive Ag (A-1) to Transitional Residential District (TRD) – Neng Xiong, Shong Xiong, Houa Xiong:

Location/Description of Property: N7978 Town Hall Rd / T07-16-16-29-08-002-00

Parent parcel acres: 27.62+/-

Current zoning: A-1

Proposed parcel acres: 13.31+/- and 13.31+/-

Area of Dedication acres: 0.95+/- for Town Hall Rd

Proposal: Owners would like to rezone the entire acreage to TRD and split the parcel in half for construction of a second house. A home currently exists on the parcel.

Base Farm Tract (BFT) Acres: 27.62+/-

Minimum Acres Required to be Maintained as Farm (20:1 ratio) (BFT acres/1.05): N/A – BFT less than 31.5 acres

Maximum Nonfarm Residential Acres Allowed (BFT – BFT/1.05): N/A – BFT less than 31.5 acres

Chesney called the public hearing to order at 7:03 p.m. and read the legal notice published June 23rd and 30th regarding the rezone of 27.5 acres from A-1 to TRD and minor land division for two 13.31 acre lots.

Neither the applicant nor the Surveyor were present. The owners use the majority of the parcel at present for agricultural/gardening use and intend to continue to garden after construction of the new home based on their statements at the Concept Plan Review in March 2019. It was noted in March 2019 that the Future Land Use Map (FLUM) in the December 2009 Comprehensive Plan has the area, including this parcel, listed as TRD.

EPC reviewed the requirements of TRD in the Land Division/Sub-division Ordinance and the Zoning Ordinance. Ch. 17.31(7)(e) and Ch. 18.46 require at least 40% of the property to be designated as open space in perpetuity and documented on the Certified Survey Map (CSM). There is no such designation on the proposed CSM. In addition, there is a question as to why one of the parcels is labeled "Outlot 1" and the other "Lot 1" instead of the typical "Lot 1" and "Lot 2". Based on past EPC experience, an outlot typically does not allow for construction of structures. The applicants and Surveyor were not present to discuss.

Motion made by Brenner/Averbeck to table further review of the rezone application until the CSM can be revised to comply with Ch. 17.31(7)(e) and Ch. 18.46 and questions on the CSM and land use addressed. Motion carried 5-0.

Following the motion, there was discussion regarding numerous small structures/shacks visible on the Xiong land on an aerial photo provided in advance of the meeting by the Town Clerk. EPC also need to discuss the purpose of these structures with Xiongs and whether or not these structures would be allowed to remain if rezoned to TRD. The large cluster of structures are also not present on the proposed CSM but the structures visible from the road are included on the CSM. It is unclear what distinguishes the two groups of structures.

Minor Land Division – Neng Xiong, Shong Xiong, Houa Xiong:

Same property as listed above for Rezone.

Motion made by Brenner/Averbeck to table further review of the minor land division application until the CSM can be revised to comply with Ch. 17.31(7)(e) and Ch. 18.46. Motion carried 5-0.

Chesney closed the public hearing at 7:26 p.m.

Public Input (not on agenda): Gary Miller stated that the numerous small structures/shacks on ag land were considered by the Town Attorney in the past and found that these structures were illegal. Based on this review, the Town requested the shacks on ag land on Dike Road be removed and they were taken down. The structures on Xiong land appear from the aerial photo to be similar and should be discussed with Xiongs.

Comprehensive Plan Review:

Kathy Thunes from East Central WI Regional Planning Commission (ECWRPC) attended to review the following:

- Public Visioning Workshop Results
- Review Transportation Element
- Review Utilities and Community Facilities Element
- Review Agricultural, Natural and Cultural Resources Element
- Next steps

Thunes took notes for purposes of ECWRPC. There was not enough time to review the Ag, Natural & Cultural Resources which will be done next time. Thunes is not available for the August meeting. Thunes will distribute the next chapters to EPC in advance of the September meeting.

Future Meetings & Agenda Items: Next meeting August 13, 2019 at 7:00 p.m. pending agenda items. Public hearings for the Xiong Rezone and MLD applications may be reviewed. The September 10, 2019 meeting will include review of the Ag, Natural & Cultural Resources Element, Land Use Element and Intergovernmental Elements. [Note: Regular EPC meetings are tentatively scheduled for 7:00 p.m. the second Tuesday of each month, pending agenda items.]

Adjourn: Motion made by Wenker/Averbeck to adjourn the meeting. Motion carried 5-0. Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Jenna Borski
Member/Secretary
Town of Eldorado Plan Commission