

Town of Eldorado Plan Commission (EPC) Meeting Minutes

September 10, 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		Jeremy Brenner, Member		STAFF: Attorney Matt Parmentier, Edgerton, St. Peter, Petak & Rosenfeldt

Public Attendees:

Rosalind Lyness			
Ronald Lyness			

Call to Order and Agenda Review: Meeting called to order by Norbert Chesney at 7:00 p.m. Borski arrived approximately 15 minutes late. Chesney took meeting notes initially.

Review of Minutes: Motion made by Averbeck/Wenker to table review of the August minutes as they were not available. Motion carried 3-0.

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+/- (“Outlot 1”) and 13.31+/- (“Lot 1”)

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

Proposal: Owners would like to split the parcel in half for construction of a second house and rezone Outlot 1 (13.31+/- acres) to TRD and maintain Lot 1 (13.31+/- acres) as A-1. A home currently exists on the parcel that will be located on the CSM labeled “Lot 1”.

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 7:05 p.m. Averbeck requested on behalf of the Town that the applicant pay the cost for the additional public notice beyond the initial notice due to the number of application revisions since initial submittal (estimated at \$34). Xiong agreed.

Averbeck discussed the Town Board inspection of the Xiong property as follow-up to the concern about the number of buildings shown on an aerial photo and reported nothing out of the ordinary.

Rosalind and Ronald Lyness spoke in opposition of the application in order to speak but Ronald Lyness stated he is not against the application and is not concerned with the house going up. However, Ronald Lyness is concerned with the amount of water currently coming onto his land located across Town Hall Road from the subject property. Chesney discussed stormwater runoff plans and requirements. Ronald Lyness discussed two culverts cross the road onto his land and it costs money for him to fix it. Averbeck responded with the Town’s position on the water issues raised and recommended this issue be addressed at a regular Town Board meeting. Rosalind Lyness provided additional comments related to the Town’s issues with infrastructure relating to new developments.

No individual spoke in favor of the application.

Chesney stated Town Attorney Matt Parmentier is drafting a deed restriction for 40% of “Outlot 1” for preserved open space as the document of choice by EPC per Chapter 18.47 of the Land Division and Subdivision Regulations,

which reads, "Restoration and Management of Preserved Open Space within Conservation CSM. The preserved open space within the Conservation CSM shall be restored as agricultural use, woodland, wetland, or native grassland as approve by the Plan Commission and managed as such in perpetuity through the use of a conservation easement, deed restriction, or similar vehicle." This chapter was discussed at length with Rosalind Lyness.

Motion made by Wenker/Averbeck to recommend approval of the rezone of 13.31+/- acres labeled as "Outlot 1" from A-1 to TRD. Motion carried 4-0. The rezone application will be further considered by the Town Board at the next meeting on September 23, 2019.

Public hearing closed.

Minor Land Division

Motion made by Averbeck/Wenker to recommend approval of the minor land division application. Motion carried 4-0. The minor land division application will be further reviewed by the Town Board at the next meeting on September 23, 2019.

Motion made by Borski/Wenker that a deed restriction be drafted and recorded at the Register of Deeds to designate the required 40% open space on "Outlot 1" in accordance with Ch. 18.47. Motion carried 4-0.

Conditional Use Permits: CUPs for D&K Endeavors and Mitch & Jenna Vis (initial applicant was Rickert Brothers) are due for three-year review. Since EPC is meeting with Kathy Thunes with East Central Wisconsin Regional Planning Commission (ECWRPC) on both October 8th and November 12th, the CUPs will be reviewed at the December 10th EPC meeting. Chesney will work with the Town Clerk on this.

Public Input: Rosalind Lyness would like her property across the road from Xiong's included in a TRD overlay under the revised comprehensive plan process and the Future Land Use Map amended. EPC discussed the need to discuss this request with Kathy Thunes with ECWRPC.

Rosalind Lyness informed EPC another option to promote growth within the Town is to advertise/post land for sale in the business district on the Town's website. This is done in other municipalities.

Ronald Lyness asked EPC if there is any possibility the ditch along Rose Eld Road is going to get cleaned out. Averbeck stated Lyness should follow-up with Gary Miller, Town Chairman, on this issue or come to a Town Board meeting. Mike Pionke, Town Patrolman, will be present at Town Board meetings.

Future Meetings & Agenda Items: October 8, 2019

[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 4-0. Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Jenna Borski
Member/Secretary
Town of Eldorado Plan Commission