

Town of Eldorado Plan Commission (EPC) Meeting Minutes

May 11, 2021

Plan Commission Member Attendees (5) and terms:

x	Jeremy Brenner, Chairperson (5/1/2019 - 4/30/2022)	x	Jenna Borski, Secretary (5/1/2021 - 4/30/2024)	x	Aaron Rickert, Town Board Liaison (5/1/2021 - 4/30/2023)
x	Lee Wenker, Vice Chairperson (5/1/2019 – 4/30/2022)	x	Jeff White, Member (5/1/2021 – 4/30/2024)		STAFF: Attorney Matt Parmentier

Public Attendees:

Cheryl Pionke, Town Clerk	Gary Miller, Town Board Chairman	Mike Wagner, Board of Appeals Chairman	Doug & Judy Rehm
Frank Mazanka	Kathi Rabe	Charlie Becker	Rosalind Lyness

Call to Order, Pledge of Allegiance and Agenda Review: Meeting called to order by Jeremy Brenner at 7:40 p.m. immediately following a public hearing followed by pledge of allegiance.

Introduction of Plan Commission Members: Brenner introduced each member, including Aaron Rickert, new Town Board Liaison (elected Town Supervisor in April 2021 and appointed to the EPC by Gary Miller on 4/26/21).

Public Input:

Based on discussion that took place in advance of start of the public hearing, Brenner moved “public input” ahead of minutes review to allow Rosalind Lyness to raise her issues. Lyness brought up a statement made by Cheryl Pionke, Town Clerk, at the last Town Board meeting that Town Board minutes will no longer be read at the beginning of each meeting. Lyness asked numerous questions regarding Town Board and EPC minutes about when the public is provided minutes in advance of approval, whether the public is asked for correction to minutes, the process for minutes approval, when approved minutes are required to be provided to the public, etc. and indicated she specifically has had her input mis-represented at least twice in previous EPC minutes. No specific dates or details were provided. Discussion followed.

Pionke informed all that Matt Parmentier, Town Attorney recently clarified for her there is no statute that requires minutes be read aloud and is the reason the Town Board will no longer be doing this. Brenner summarized that historically reading the EPC minutes has not been necessary since few members of the public typically attend and the EPC members are provided copies to review in advance. In addition, minutes are generally long and not a good use of our limited time to read the lengthy minutes aloud. After discussion, it was agreed that EPC will provide a few copies of the minutes ahead of time at future EPC meetings for the public to review.

Brenner requested Pionke ask Town Attorney Matt Parmentier what the process is for appeals to minutes that have already been approved.

Review of Minutes: EPC reviewed the minutes from April 13, 2021. Motion made by White/Wenker to approve minutes. Motion carried 5-0.

Status Update – Zoning Ordinance Amendments:

- Solar Energy Systems – Second public hearing held by the Town Board on 5/3/21 followed by a Special Town Board meeting to adopt the amendment to the Zoning Ordinance, creation of sec. 17.22, Solar Energy Systems.
- Changes and Amendments - Second public hearing held by the Town Board on 5/3/21 followed by a Special Town Board meeting to adopt the amendment to the Zoning Ordinance, revision of sec. 17.58(1), Changes and Amendments.

Both amendments will be published 5/12/21 and become effective 5/13/21 per Cheryl Pionke.

Status Update – Gary (& Kathi) Rabe applications for Minor Land Division (MLD) & Conditional Use Permit (CUP) for Non-Farm Residence (NFR): Applications received and public notice issued. Hearing scheduled for June 8, 2021. The perc test has not yet been submitted and may not be done prior to 6/8/21. Per previous clarification by Town Attorney Matt Parmentier, the EPC and Town Board can still process the applications with approval contingent upon receipt of a favorable perc test. Kathi Rabe inquired when the tax assessment will change. EPC informed Rabe that the tax is based on land use so they can expect the existing taxes to apply until the house is built.

Tracking # CP-2021-05-05-Rehm

Concept Plan – Application for Minor Land Division with multiple parcels – Doug & Judy Rehm:

Location/Description of Property: W9652 Olden Rd / T07-16-16-18-07-001-00

Parent parcel acres: 32.59 +/-

Current zoning: A-1

Proposed parcel acres: 6.41 +/- ac. lot w/ existing house, 5.0 +/- ac. lot, 22 +/- ac. remnant

Area of dedication acres: TBD +/- for Olden Rd

Proposal: Spilt land on west side of Olden Rd into two lots and leave remnant on east side of Olden Rd.

Base Farm Tract (BFT) Acres: 72.8 acres

Minimum Acres Required to be Maintained as Farm (20:1 ratio) (BFT acres/1.05): 69.33 +/- acres

Maximum Nonfarm Residential Acres Allowed (BFT – BFT/1.05): 3.47 +/- acres

Doug Rehm discussed their desire to split the existing 32.59-acre parcel that includes both sides of Olden Rd into two lots on the west side of Olden Rd and leave the remnant on the east side:

- a proposed 6.41-acre lot with their existing home on the west side,
- a 5.0-acre lot to the north of their existing home on the west side, and
- the remnant on the west side.

The intention is to sell the 5.0-acre lot for construction of a new home and sell the remnant on the east side with no specific plan for use. This would require rezone of the 5.0-acre lot from A-1 to A-2 in order for a home to be built on that size lot. The current use of the property would easily qualify for rezone from A-1 to A-2 (vacant, untilled open land). There is no intention to split the adjacent 40-acre lot that is landlocked further to the east (T07-16-16-18-08-001-00).

Rehm requested clarification on what size lot could be created for construction of a home on the east side for marketability reasons. EPC explained the A-1 Exclusive Ag district and 20:1 ratio for non-farm residences. Without rezone, the owner could create a single max 3.47-acre lot, or two lots with min 1.5 acres that together equaled no greater than 3.47 acres. The Future Land Use Map would also allow for rezone to A-2 with min 3.0-acre lots if they meet the criteria to zone out of the A-1 district. Discussion followed regarding options to maximize use of allowed non-farm residences and creation of A-2 parcels. Rehm will discuss options further with their surveyor and return with a revised concept plan application and preliminary CSM, likely in June.

Review of General Inquiries Since April 13, 2021:

Brenner received two general inquiries:

- 1) a landowner with less than 3-acre parcel interested in constructing an accessory structure. Surrounding farmland owned by his father so may look at purchasing some land to build a building; and
- 2) the daughter of aging parents that live on approx. 12-acre lot zoned Rural District that are interested in splitting land to build a home.

Neither individual came to the meeting tonight but are expected to follow-up in the coming months.

Borski and White both received questions regarding solar energy systems. Brenner added that the new Chairman for the Village of Rosendale was also unaware of the solar energy systems discussions and Brenner briefed him on the topic.

Public Input: none

Future Meetings & Agenda Items: June 8, 2021 – public hearing for Gary (& Kathi) Rabe MLD & CUP for NFR and likely a revised concept plan with preliminary certified survey map for Doug & Judy Rehm.
[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/White to adjourn the meeting. Motion carried 5-0. Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Jenna Borski
Member/Secretary
Town of Eldorado Plan Commission