

Town of Eldorado Plan Commission (EPC) Meeting Minutes

June 8, 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 Supervisor #2 (Town Board Liaison) (5/1/2021 - 4/30/2023)
	Lee Wenker, Vice Chairperson (5/1/2019 – 4/30/2022)	x	Jeff White, Member (5/1/2021 – 4/30/2024)		

Staff or Town Board Member Attendees:

	Cheryl Pionke, Town Clerk		Gary Miller, Town Chairman (5/1/2021 - 4/30/2023)		Attorney Matt Parmentier
	Mike Pionke, Highway Patrolman		Dave Jahns, Town Supervisor #1 (5/1/2021 - 4/30/2023) Permit Officer		

Note: As of June 2021, minutes no longer include public attendance. Names will be included for agenda items or contributions under public input or as deemed necessary by EPC.

<p>Call to Order, Pledge of Allegiance and Agenda Review: Meeting called to order by Jeremy Brenner at 7:22 p.m. Pledge of allegiance performed at prior public hearing.</p>
<p>Review & Approve Minutes: EPC reviewed the public hearing & EPC meeting minutes from May 11, 2021. Five copies circulated to public per May 2021 decision. Motion made by White/Brenner to approve minutes. Motion carried 4-0.</p>
<p>Review & update practices for future public hearings/EPC meetings sign-in and minutes content: Brenner presented four items for discussion on the sign-in & minutes (underlined below) which was followed by lengthy discussion and public comments. Decisions by the EPC are recorded below.</p> <ol style="list-style-type: none"> 1. <u>Previously approved minutes</u> - If the public presents an issue with previous minutes already approved, a statement will go in the minutes for the meeting in which the issue is raised. Approved minutes will not be amended. 2. <u>Future minutes</u> - Minutes will continue to be recorded per the current process (e.g., level of detail) with the exception below regarding attendance. 3. <u>Sign-in Sheet</u> - The sign-in sheet is not a requirement at Town Board meetings per Cheryl Pionke, Town Clerk. The sign-in sheet will continue to be offered to the public but future EPC minutes will only list the EPC, Staff and Town Board attendees. Public names will be included for agenda items or contributions under public input. 4. <u>Minutes for review and approval read aloud or distributed?</u> – Five copies of minutes for review will be provided in advance of the meeting for circulation by the public attendees but will not be read aloud. The process will be for EPC to make a motion to approve the minutes, second the motion, and then before the vote, allow public input on <i>content</i> before EPC votes. Wording and semantics will not be modified.
<p>Tracking # CP-2021-06-03-Rehm Concept Plan – Application for Minor Land Division with multiple parcels – Doug & Judy Rehm:</p> <p>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: 5.4 +/- ac. lot w/ existing house, <u>two</u> 3.0 +/- ac. lot, 22 +/- ac. remnant Area of dedication acres: TBD +/- for Olden Rd Proposal: Spilt land on west side of Olden Rd into <u>three</u> lots, rezone two-3.0 +/- ac. lots and leave remnant on east side of Olden Rd.</p>

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 plan, revised after the May concept plan discussion and meeting with Eric Freiburg, E T Surveying, to split the existing 32.59-acre A-1 parcel that includes both sides of Olden Rd into three lots on the west side of Olden Rd and leave the remnant on the east side:

- a proposed 5.4-acre lot with their existing home on the west side (unsure if will remain A-1 or request to rezone to A-2),
- a proposed minimum 3.0-acre lot to the north of their existing home on the west side to be rezoned A-2,
- a second proposed minimum 3.0-acre lot to the north on the west side to be rezoned A-2, and
- the remnant lot on the west side (to remain A-1).

The intention is to sell the two 3.0-acre lots for construction of new homes at some point and sell the remnant farmland on the east side. This would require rezone of the two 3.0-acre lots from A-1 to A-2 for homes to be built. 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) but that will be sold with the remnant farmland on the east side of Olden Rd. This proposal does not include use of the max non-farm residence area of 3.47 acres that could still be split and constructed in the future on the east side of the road within the farmland. As discussed at the May 2021 concept plan, without rezone, the owner of the land east of Olden Rd 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 of the eastern lot to A-2 with min 3.0-acre lots if they meet the criteria to zone out of the A-1 district (currently farmland).

Freiburg informed EPC that normally the remnant of 20 acres would require to be included in the CSM as a separate lot; however, since the remnant of 20 acres is adjacent to 40 acres by the same owner (contiguous land), he will not need to create a lot for the remnant on the east side of Olden Rd. The County requires a remnant with less than 35 acres contiguous land to be included in the CSM.

EPC discussed the options for the lot line between the 5.4-acre lot and first 3.0-acre lot, side yard and rear yard setbacks for A-1 vs. A-2 and minimum lot size (3.0 acres) and frontage (200 feet) for A-2. Also, a percolation (perc) test needs to be done for each of the proposed 3.0-acre lots. Perc tests are typically good for five years. EPC provided Rehm with applications for Minor Land Division and Zoning to be submitted when he is ready to proceed.

Status Update – Frank & Jeni Mazanka application for Minor Land Division & Rezone from A-1 to A-2 (Frank & Jeni Mazanka): The Town Board approved the applications for MLD & Rezone of Lot 1 conditioned upon the variances & recording of the driveway easement. The Board of Appeals public hearing is scheduled for June 16, 2021.

Review of General Inquiries Since May 11, 2021: none beyond the agenda items and public present (including Chris & Keetra Baker discussed under public input)

Public Input:

Chris & Keetra Baker

Tracking # - NA - no Concept Plan application submitted

Location/Description of Property: vacant land on Dike Rd / T07-16-16-35-13-003-00

Parent parcel acres: 9.62 +/-

Current zoning: RD

Proposed parcel acres: same

Area of dedication acres: N/A

Proposal: Rezone from RD to A-2

Base Farm Tract (BFT) Acres: N/A - not assigned per Base Farm Tract map with parcel data as of 12/31/2013 and Zoning Ordinance Map Certified by DATCP on 11/20/2013 (zoned RD)

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

Maximum Nonfarm Residential Acres Allowed (BFT – BFT/1.05): N/A – zoned RD

Chris Keetra explained that they just purchased this lot that is currently farmed. They intend to request the Town rezone the parcel from RD, Rural District, to A-2, General Agricultural to construct a larger accessory building than allowed in RD. They intend to put in a culvert and driveway with an accessory building and plant trees soon and eventually build their home several years from now. They also intend to request a variance to the road setback requirement in A-2 of 350 feet. EPC explained the process for submitting a Concept Plan application and the Process Instructions available on the Town website. Dave Jahns is the Permit Officer and the contact for both the culvert and building permits. Baker has already been in contact with both Jahns and Borski on this plan.

Question from public on EPC “pushing/encouraging” A-2, General Agricultural, over RD, Rural District just mentioned. EPC explained RD was the only residential option for properties less than 35 acres in the agricultural district under the old Zoning Regs with a 5-acre minimum for hobby farms with animals. A-2 is the option designed for residences, hobby farms and other uses in the ag district under the revised (current) Zoning Regs. The intent of EPC during revision of the Zoning Regulations was to replace RD with A-2 as opportunities arise and is supported by the Comprehensive Plan’s Future Land Use Map that only allows rezones to A-1 or A-2 in the agricultural district (not RD). Rezones from A-1 to A-2 still need to meet the requirements to zone out of the Farmland Preservation district. However, since properties are still zoned RD in the Town, a section of the Zoning Regs needed to include this district. EPC reviewed differences between A-2 vs. RD (e.g., minimum lot size, outbuildings, permitted & conditional uses).

Next Meeting Date & Tentative Agenda: July 13, 2021

[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 Borski/White to adjourn the meeting. Motion carried 4-0. Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Jenna Borski
Member/Secretary
Town of Eldorado Plan Commission