

**MINUTES of PLAN COMMISSION MEETING
MARCH 10, 2020 @ 6:30 P.M.**

Members Present: Michael Calewarts, Steve Olsen, Kathy Janssen, Francis Rabas, Bill Krueger, Ralph Witte, Zoning Administrator, Clerk – Michelle Wallerius, Devin Yoder, Brown County Planning and Attorney Alex Sickel. Meeting called to order by Bill Krueger at 6:30 p.m.

PLAN COMMISSION AGENDA

1. Approve Minutes from February 4, 2020 Plan Commission Meeting: Motion by Steve Olsen and seconded by Francis Rabas to approve Minutes from February 4, 2020. MC.
2. Review/Revise Chapter 3 (Transportation) of the Comprehensive Plan: Chapter 3 – Transportation plan submitted for review. Devin Yoder states it is largely the same. Discussion of visioning session areas such as road improvements. Devin would recommend the Town or Plan Commission consider future capital improvement plans. The Town can make it to be whatever they may need such as a 5 year or 10 year plan. Include pavement ratings, identify future road projects. Kathy Janssen discusses bicycle lane option which was omitted when the County repaved County Hwy R. This would be an example of identifying areas that could have benefited from planning and could be identified in the comprehensive plan. No further discussion.
3. Final plat of survey for ND-695, Hidden Hills Estates on Rosecrans Road: Review of Hidden Hills Estates plat of survey. Final plat submitted for review/approval. Discussion Lots 5 & 6 would need a setback variance due to the steep slopes. Requesting a 15 foot variance with a setback of 35 feet from the road. Action on this is pending. Existing well and septic system noted on map. Ralph Witte indicated he will like to address storm water management design to eliminate future impact on neighboring properties. Design to be controlled in the ditches. Small triangle piece will need to be discussed with property owners when lots are sold to have it deeded back. Motion by Kathy Janssen and seconded by Mike Calewarts to approve final plat of survey for ND-695. MC 5-0.
4. Modifications to AG-1 ordinance to conform to Farmland Preservation guidelines to meet State requirements: Ralph Witte highlights 15 items which were added to the ordinance, along with verbiage citing state statute and adding definitions from the Farmland Preservation ordinance. For example: Artificial lakes versus farm pond is defined by changing the verbiage. Zoning ordinance to be re-numbered. Ralph would recommend the Commission rescind previous recommendation to approve rezoning of Ag-1 zones to Farmland Preservation zoning. This change will only impact some conditional uses (Part C) of the code. Zoning code remains the same but references required statutes and adds definitions to comply with Farmland Preservation. Discussion of setbacks and road frontage requirements. Setbacks remain the same. Attorney Sickel feels these revisions will meet the Farmland Preservation requirements. There is no significant difference, other than the tax treatment of the property and a few permitted accessory uses which are defined. Motion by Steve Olsen and seconded by Francis Rabas to recommend the Town Board rescind previous action of the Town Board which rezoned Ag-1 parcels to Farmland Preservation and move to recommend the Town Board adopt the revised Farmland Preservation ordinance as presented which includes that statutory cites pertaining and definitions as provided. MC 5-0/
5. Any other business of the Commission may deem appropriate: Kathy Janssen questions the lights on the communication towers which went from red to light strobe lights on County Highway R.

Ralph Witte has identified 38 properties in the Town that have non-conforming issues with road frontage, etc. The Freitags have requested a variance for their property on Fenwick Lane as they currently have no road frontage. Additional roads that were discontinued / that were milking roads, could factor into this. Would like to address all these properties that currently have structures and look at a remedy as currently the ordinance prohibits them from re-constructing their property if it was damaged beyond 50% of its value. A proposal would be to adopt a grandfather clause that addressed these non-conforming properties. Also, Jensen Lane is an example of a road issue that could be addressed by a Capital improvement project as it technically is a 400 foot driveway. Similarly, Paider Lane. A road should serve the Town not one resident. Francis Rabas states the main addresses for these properties are typically the main road and not the Lane. Discussion that plat of surveys create many of these issues as there is no overview by the Town or County. Devon Yoder states the County would like to hear from the Towns on review of plat of surveys as that is something they might be addressing. Currently, dealing with these problems by a variance does not set precedent but it does create sentiment for other applicants.

Motion by Steve Olsen and seconded by Mike Calewarts to adjourn at 7:25 p.m. MC 5-0