

**MINUTES
TOWN OF RHINE PLANNING COMMISSION
Wednesday, March 14, 2018**

Present: Todd Purkey (Chair), Mark Pfaller, Joanie Fiorenza, Larry Eberle, Frank Zimmermann

GENERAL MEETING –

1. **Call to Order** – Compliance with Open Meeting Requirements. (Published February 28 and March 7, 2018.) (Also posted March 10, 2018) Called to order at 6:32 pm by Chairman, Todd Purkey.
2. **Pledge to the Flag:**
3. **Approve Minutes of the February 14, 2018 meeting:** Motion to approve by Eberle. 2nd by Zimmermann. All in favor. No nays.
4. **Public Comments (general nature)** - None
5. **Public Hearings**

To consider the application of Anthony P. Landini of 48889 Bootjack Rd., Lake Lindon, MI 49945 to rezone his property located at W4601 CTH FF, Elkhart Lake, WI 53020 from A1 to A2. Property is approximately 35.84 acres. The parcel # is 59018256322.

Public Comments regarding this application:

Larry Eberle asked to excuse himself since he has a personal interest in the property.

Steve Arenz: He would like to see the property remain agricultural as opposed to being developed. He feels there is a need to preserve farmland. Also, the Town's Long Range Plan is to remain as an agricultural township.

Roy LeVan: He also would like to see the larger parcels of land kept as agricultural. He does not want to see a lot of subdivisions in the area. One reason he moved here is because of the agricultural personality of the area. He is also concerned about possible drainage problems if the land is developed.

Keith Fischer: He owns the 4 acre parcel inside of the 36 acre that is to be subdivided. He also moved there because of the pristine agricultural area. He wants the committee to look at preserving the long term plan as it stands. He does not want to see a pattern established as rezoning farmland into land that could be developed into multiple homes.

Tony Landini: He is the owner of the property in question. He said the property is not really used as farmland. He would be more concerned of larger farm operations taking over the area. He has tried to sell the property as one piece, and could not. Potential homebuyers want smaller lots.

No other public comments.

Deliberation by Planning Commission:

Pfaller: Asked Mr. Fischer how long he has owned his property. Fischer said he has lived there 3 years this month. His home was the original home on the area. Landini explained that the parcel was split off in approximately 2000. Pfaller explained that in the past the town has allowed this kind of lot division. However, most of those were divided between family members and kept within families. He's also been involved with the Town's Smart Growth Plan over the last several years. The Long Range Plan provides for the area to remain as agricultural. He is opposed to the application to rezone to A2.

Fiorenza: She is also against the request.

Zimmermann: He is opposed to people telling you what you can do with your property. However, he would like to see the land remain as 1 parcel and not be split into 3.

Motion: Pfaller made a motion to recommend to the Town Board to deny splitting up this piece of property as laid out in Landini's request. 2nd by Zimmermann. Roll call vote: Zimmermann – yes. Fiorenza – yes. Pfaller – yes. Purkey – yes. All in favor of denying the request to split the land up and to rezone from A1 to A2. This recommendation will be forwarded to the Town Board for further discussion at the April 10, 2018 meeting.

5. **Discuss and possibly act on: Possible need for a CUP for the TrackSide Development and review the Pre-Development Agreement:**
6. Purkey gave a brief description of this situation. The planning commission will deliberate on whether they feel there is a need for a CUP for this project or not. He mentioned that the Building Inspector has some concerns with the project. There are concerns about the well or wells and where they would be located as well.

Zimmermann recommends that the land be surveyed to show the right of ways before a decision is made. Fiorenza mentioned that the developer has considered putting in a temporary road during development. She feels this should be staked out. Zimmermann wants photos of the road before any construction starts in the event of possible road damage.

Pfaller said the Planning Commission really doesn't need to see everything on the project. He agrees there needs to be input on the well, but authority over it, as the DNR has jurisdiction over wells. This is a large and costly development. At this point, the Town does not have anyone serving as the lead contact for this this project. He feels someone should be designated for this.

Purkey would like to have further discussion with the building inspector. He feels that perhaps there should be a recommendation to the Board to have a committee to oversee this project.

Zimmermann issued a reminder that everything has to go through the building inspector. If he has any issues, he should be able to pass them on the planning commission or to the Town Board for review. He's not sure if we need another committee or not. Fiorenza agrees. She has done a lot of investigation and research on her own, starting with Kathryn Fabian at the county level. She has contacted the DNR about the well and received a lot of good, straightforward information from them. (Some of this information was read into the record.)

Purkey agreed that there are many questions that are not answered at this point.

Booher mentioned that everyone has failed to mention the LEL Rehab district. This area and its residents will be the most impacted by the project. There has been a 2nd Pre-Development area drafted

by the legal. He said the town should not consider the amount of money the developer will put into the project. If LEL Rehab does not approve of the project, it can't go forward. He talked about pumps and pump motors, etc.

Kevin Struck has expressed that the more number of wells in an area, the more likely it is that the wells can become contaminated. 24 wells in close proximity to each other could present risks.

Eberle mentioned it is difficult for a contractor can go forward with the design when the towns haven't given them the final conditions for the approval of the development. He feels that the town should see the CCR's in advance of project approval.

7. **Chairman information report:** None
8. **Next meeting date** – (as needed) April 11
9. **Adjournment:** Motion to adjourn by Zimmermann. 2nd by Fiorenza. All in favor.

NOTICE IS HEREBY ALSO GIVEN that although a quorum of Rhine Town Board may be present and may take part in these discussions, no formal action or vote may take place at this meeting.

ANY PERSON REQUIRING SPECIAL ASSISTANCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE CLERK AT 876-3413 24 HOURS PRIOR TO THE MEETING