

**MINUTES
TOWN OF RHINE PLANNING COMMISSION
Wednesday, April 11, 2018**

GENERAL MEETING – 6:30 PM

1. **Call to Order** – 6:30 pm by Todd
2. Compliance with Open Meeting Requirements. (Published March 28 and April 4, 2018.)
3. **Pledge to the Flag**
4. **Approve Minutes of the March 14, 2018 meeting** – Motion to approve as presented by Zimmermann. 2nd by Pfaller. No nays.
5. **Public Comments** (general nature) - None
5. **Public Hearings**

To consider the application of Karen A. Rosenthal of 703 High Avenue, #302, Sheboygan, WI 53081 to rezone her property located at N9363 State highway 57, Elkhart Lake, WI 53020 from A1 to A2, A4 or B1. The parcel # is 5901825059 - 59018250600. Land is approximately 15 acres.

Public Comments regarding this hearing:

Todd Smith: He is a realtor from Pleasant View Realty and is representing the family in this matter. Karen is a POA for the Trust that owns the property. 2 parcels in the Town are zoned A1. One is bisected by Highway 57. The farmland has been rented for sometime. Purkey clarified the size of the parcels are approximately 35 acres each.

The existing buildings are not of interest to most prospective buyers. (property on EH). The property on 57 is farmland. They would like to keep it as AG land. The small parcel has a tower on it. The owners would like to sell that portion and keep its use for the telecommunications tower. A surveyor has been obtained to create survey maps when requested.

Purkey asked to clarify that the parcel south, E of 57 houses the tower and a house now. Smith explained that the piece of land outlined in blue on the provided handouts is approximately 7 acres. That section does include the home.

Susan Bemis: Susan is a neighbor. For clarification, the cell tower was rented with 20 years remaining on the lease, with a clause that either party could walk away from the cell tower arrangement at any time. She asked for clarification of the requested zones. She is opposed to anything that brings more traffic closer to her driveway due to safety reasons and doesn't want to see anything rezoned to B1.

Brian Gottsacker: Lives on the East side of the property. He asked for clarification of which area would be rezoned as B1 and what kind of business could be put there. Smith said the B 1 would be approximately 3 ½ to 4 acres.

Paul Booher: Paul made comments about the towns' long range plan. In those meetings a possible commercial corridor along 57 has been discussed. He explained that this land has had a cell tower for a

long time. There are possible plans to write into the long range plan the possibility of adding a commercial corridor in the area. He does not feel that there would be traffic hazards created by rezoning that small amount of land to B1.

Todd Smith: The owners' intention is to keep things as they are today – to keep the cell tower, 2 residences, and farm land.

Deliberation by planning commission:

Joanie: expressed that she has been in similar situations. She knows how dangerous 57 can be. She is against allowing a B1 zone in that area.

Zimmermann commented that it IS a state road. If any business would be developed in the area, the town would like to keep the traffic off of town roads. He thinks the area housing the tower could be B1. He would like to know the final acreage amount. The home on the east side is approximately 7 acres. The land on the east side would have to be less than 10 acres in order to prevent building another home on it. He wants to see the lots stay less than 10 acres so that 2 homes could not be built on one lot. Zimmermann said if the tower stays with the house, and if it were more than 12 acres it could be A5. The land on the east should stay as one piece.

Pfaller: The CUP for the tower was approved about 10 years ago. His vision is not to have it split off, but to leave it on the property and assign the CUP to a new owner. That would provide immediate income to the new owner. He would not like to see the tower abandoned at a future date if its current use becomes obsolete. He suggests keeping the tower on the property so there would be someone responsible for the tower. He suggests splitting into 2 parcels.

There was a brief discussion on the present CU . and any possible issues of splitting off one small area into a B1 zone.

Joanie feels there are too many unknowns. They don't know what the final acreage is or what the terms of the current CUP are. Zimmermann would like to see the property squared out.

Eberle had comments about the CUP. He would like to see information on the current CUP as well as more finalized acreage on the lots.

Todd Smith asked to address these issues. He explained that they didn't want to have a CSM and then have to move the lines and have it redone.

A motion was made by Frank Zimmermann to table the decision until further information which would clarify the requested lot sizes is available. 2nd by Fiorenza. All in favor with no nay votes.

6. **Chairman information report:**

7. **Next meeting date** – (as needed)

8. **Adjournment**

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.

Approved