

Planning & Zoning Meeting Minutes  
6/19/2020

**Present**

Planning and Zoning Commission members:

Deb McWhirter

Jane Close

John Backer

Others:

Misty Kroeze, Zoning Administrator

John Riherd, County Engineer

Steve Busse

Brett Morris

Richard Struck

Matt Boldt

Shannon Bennett

Mike Butler

Jon & Joyce Smith

Via Phone:

Dustin Rawdon

Todd Bennett

Nanci Rewerts

Vila Ahrenholz

Brad Walter

Shane Ragsdale

Brad Feckers

Deb McWhirter called the meeting to order.

A motion to approve the agenda was made by John Backer and was seconded by Jane Close. Motion passed.

A motion was made to approve the previous meeting minutes dated May 14, 2020, by John Backer and was seconded by Jane Close. Motion passed.

**Old Business:**

Chair McWhirter updated the public regarding a new legislative bill concerning Planning & Zoning boards only being allowed to have members who reside in the unincorporated areas of the County, which resulted in the loss of two long term Commission members. Normally the Commission has 5 members, but until the two vacancies were filled they were down to a 3 member board.

**Public Hearing:**

Chair McWhirter opened the public hearing on a Preliminary Plat for Honeytree Hills Subdivision located in the Wfr $\frac{1}{2}$  NWfr $\frac{1}{4}$  of Section 30, Township 90 North, Range 15 West of the 5th P.M. Land Surveyor, Steve Busse, stated that the proposed subdivision will have a total of 11 lots, with the existing house and buildings occupying lot 11, which is the largest of the lots at 27 acres. The remaining 10 lots would range from 1.85 to 4.37 acres, which meet the minimum lot requirements set forth in the County ordinance. There is an existing driveway that would be utilized to access the proposed Subdivision with a 50 ft wide easement for utilities. The driveway would remain private and would be maintained by the homeowner/homeowner association. Busse stated that the contour of the land dictated how the lots were laid out and the abundance of trees were also taken into consideration as to what areas would make the most sense to develop without eliminating too many trees. Pond access would remain private with the applicant/owner being the only one to have access.

Administrator Kroeze did receive several emails and calls pertaining to the Subdivision, a majority of who objected due to wedding venue rumors, poor road quality and concerns with increased traffic and safety issues, destruction of natural habitat for animals due to development, taking away from the new subdivision the City of New Hartford was planning and additional neighbors further taking away from a peaceful country setting. Administrator Kroeze read several emails that were submitted from Hannah & Adam Ahrenholz, Tyler McWilliams, Todd Bennett and Cole Anderson.

Applicant/owner Brett Morris spoke on behalf of his application and clarified that the wedding venue idea was a rumor that was triggered from a comment his wife had made about it being a beautiful location for a wedding. Mr. Morris stated that was never their intention or desire to open a wedding venue at this location as they are living here too. Administrator Kroeze confirmed that if a wedding venue were to ever be proposed, the Morris' would be required to either rezone or obtain a special use permit which would require additional hearings and consideration. Mr. Morris also stated that while there are 11 lots being proposed, he only foresees about 4 lots being developed at this time. The purpose of the full subdivision was to properly plan for future development per County recommendation, as well as recommendation from his surveyor. He plans to sell the lots on the North side of the driveway first, but he also wanted to have extra lots available in the event his children may ever want a place to build in the future. Mr. Morris stated that he is an arborist and that his attraction to this area was because of the tree farm that the previous owner had created and he has no intention of allowing any trees to be removed without his approval.

Discussion was had on the many concerns raised by surrounding property owners regarding the poor quality this road and the bridges accessing this road were already in, the added traffic by opening the potential for 10 new houses and the cars that would accompany those new houses, dust control, hills/visibility issues and the struggle to maneuver farm equipment with the existing traffic. County Engineer John Riherd was available for this discussion and stated that he is aware that the roads are already taxed, but he feels that the roads can still accommodate the existing traffic flow. While the proposed Subdivision is for 10 new lots, it is going to take time for those lots to actually be developed and his policy is to monitor the road conditions rather than proactively improve a road based on development that may or may not take place as that is cost prohibitive. Engineer Riherd also stated that while the County does not provide dust control, the surrounding property owners could always choose to implement dust control measures on their own. He will continue to monitor and assess the road conditions in this area and look at ways the County can improve maintenance. The issue of farm equipment not being able to maneuver the roads is a legitimate issue that currently exists, regardless of whether this Plat is approved or not. It is an issue that needs to be looked at and improvements made if possible.

Discussion was had regarding the number of proposed lots and whether that number could be reduced if the owner was really only intending on four lots. It was determined that that decision would have to come from the owner, the Planning & Zoning Commission could not force them to do so as long as the requirements of the Subdivision Ordinance were being met. Further discussion was had on the intent of proper planning and the owner's desire to offer the opportunity for others to enjoy the rural, country setting that he and his wife now have the opportunity to enjoy. Discussion was had regarding this area already being highly populated with rural acreages and how proper planning should have been implemented years ago. Discussion was had regarding the competition with the City of New Hartford's new development and it was thought that the larger lots being proposed here would offer the opportunity for people looking for more rural, larger lots as opposed to small town like lots and that it should have very little impact on the new development.

Administrator Kroeze stated that residential development of this area was identified in the Future Land Use Map contained within the Comp Plan so there is support in approving the Plat. Administrator Kroeze did state that the next time the Comp Plan is updated, it would be worthwhile for the

Commission to take a look at a list of additional criteria/standards that could be used as a tool in approving/denying Subdivision applications, but felt that the Plat met all of the criteria that was currently in place.

The public hearing was closed. Commission Member John Backer stated that while there were legitimate concerns raised, the urban sprawl that has taken place over the past several years is the biggest factor with the current and existing issues that were raised and that as long as the owner was meeting the requirements of the County Subdivision Ordinance, he felt that there was no real criteria to deny the Plat. Commission Member Jane Close added that while the road conditions are concerning, she feels that if the property owners in this area banded together and kept approaching the County with their concerns, there may be improvements that could be made.

A motion to approve the Preliminary Plat for Honeytree Hills Subdivision was made by John Backer and was seconded by Jane Close. Motion was unanimously approved.

**New Business:**

Administrator Kroeze brought several example ordinances to the Commission in regards to the County Ordinance update. Due to the lengthy meeting, the Commission had a quick discussion regarding questions they had and ultimately opted to table in depth discussion to a different time

Motion to adjourn the meeting was made by Jane Close and was seconded by John Backer. Meeting adjourned.

Misty Kroeze, Planning and Zoning Administrator

