

Planning & Zoning Meeting Minutes
9/15/22
Butler County Courthouse

Present

Planning and Zoning Commission members:

Deb McWhirter

Roger Kregel

Rosemary Willson

Jane Close

Absent

John Backer

Others:

Misty Day, Zoning Administrator

Kyle Helland

Mike, Brent & Jerry Ballhagen

Jake Klahsen

Deb McWhirter called the meeting to order.

A motion was made to approve the agenda as presented by Jane Close and was seconded by Roger Kregel. Motion passed.

A motion was made to approve the minutes from the previous meetings dated May 17, 2022, and August 11, 2022, by Roger Kregel and was seconded by Rosemary Willson. Motion passed.

Old Business:

Administrator Day updated the Commission regarding the McDivitt junkyard. Day reported that she went to the site and conducted an evaluation of the remaining cars and advised McDivitt as to what needed to be done to come into compliance which includes providing the registration/titles for the cars that he wants to keep and relocating the ones that are not able to be licensed to a fenced in area on the opposite side of his property. Day reported that since the site visit, McDivitt had done quite a bit of work including moving the vehicles off of the property line but there was still some work that needed to be done.

Public Hearing:

Chair McWhirter opened the public hearing on Koop's Beaver Creek Minor Plat located in part of SW¼ Section 29, Township 90 N, Range 15 W. Administrator Day stated that the owner is wanting to split the timber from the crop ground in order to sell for recreational purposes and due to the proposed parcel being less than 35 acres, it triggered the minor plat process. Administrator Day stated that the proposed parcel is in the 100-year floodplain, there is no intention of development but in the event there ever is, DNR and local floodplain requirements would apply and the County Engineer had requested that the access easement be expanded from 66 ft to 93 ft to accommodate a future right of way improvement project which was reflected on the newest plat submitted. Surveyor Kyle Helland was present on behalf of the applicant and stated that the proposed parcel is low river bottom ground that is being separated from the tillable ground. Helland confirmed that no tillable ground would be taken out of production other than where the access easement is located. Helland also confirmed that Mr. Koop is working with the County Engineer on the right of way improvement.

Brent Ballhagen was present and expressed concerns about accessing a landlocked parcel owned by Jerry Ballhagen. Mr. Ballhagen stated that they currently have a verbal agreement with Mr. Koop to access their landlocked parcel through the new proposed parcel. Discussion was had regarding how they would continue to access this parcel if this new parcel is being sold. It was determined that easements to this parcel would be investigated prior to the Supervisor meeting on September 27th.

A Motion to approve Koop's Beaver Creek Minor Plat with the easement issue being investigated was made by Roger Kregel and was seconded Rosemary Willson. Motion passed.

The Commission then held an informational meeting in regards to the Zoning Ordinance update, specifically what changes had been made to the Wind & Solar Energy Sections. Administrator Day went through the changes which included increasing setbacks from property lines to 1640 ft, adding a total tower height, reducing the noise decibels, adding publication and mailing requirements to the informational meeting, adding language that applications would be automatically denied if easement negotiations occurred prior to the public meeting, and expanding on the decommissioning plan to include specific components and an escrow or bond to be paid upfront after the Supervisors have approved a 3rd party cost estimate for said decommissioning, among other changes. Members of the Butler County-Grundy County Citizens Against Turbines were present for the informational meeting and asked a few questions regarding the decommissioning plan. It was determined that the group was happy with the changes incorporated and felt comfortable with the Zoning Commission moving forward with adoption of the new Zoning Ordinance. Administrator Day stated that she would schedule the public hearing on the Commission's recommendation for October 6th and the Commission suggested that she also meet with the Supervisors before scheduling the public hearing to make sure they were also okay with moving forward.

New Business:

Discussion was had regarding the junk yard definition specifically relating to junk cars and how one would go about filing a complaint. It was determined that they would have to file a complaint with Administrator Day who would investigate and send letters to violators like she did with the McDivitt junkyard.

A motion to adjourn was made by Jane Close and was seconded by Roger Kregel. Motion passed.

Misty Day, Planning and Zoning Administrator

