

PLAN COMMISSION  
MEETING MINUTES  
TOWN OF GRANT  
October 19, 2016

PRESENT: Nathan Wolosek, Ron Becker, Sharon Schwab, Tom Reitter (Commission Members), Kathy Lee (Secretary)

CITIZENS: None present

EXCUSED: Marty Rutz, Jim Wendels (Chairman),

**CALL TO ORDER**

The meeting was called to order at 6:35 pm by Ron Becker (acting chairman).

**STATE OF PUBLIC NOTICE**

It was stated that the agenda was posted at two posting stations (Grant Town Hall and the Grant Transfer Station) and on the Town's website.

**MINUTES**

It was moved by N. Wolosek and seconded by S. Schwab to approve the September 21, 2016 Plan Commission Meeting Minutes. The motion passed with unanimous ayes.

**CITIZEN INPUT**

Townline Road needs some gravel. It is blown out in areas from the T. of Plover and south to Buena Vista. Discussion took place regarding road repair and reconstruction in general. The town associations are hoping that Governor Walker will be providing more funding for town roads. The Town Board would like to have a joint meeting with the Plan Commission to discuss Implements of Husbandry.

Tom Reitter has offered to attend the Portage County Public Safety Communication Board meetings on behalf of United Emergency Medical Response, Grand Rapids Volunteer Fire Department, and Plainfield Fire Department.

Kathy Tate would like to wait until spring before proceeding with her CUP regarding special event camping on her property and will contact us when she is ready to proceed.

**FARMLAND PRESERVATION**

The draft of the farmland preservation (FP) map was reviewed. Discussion took place regarding the inclusion of both Exclusive Ag and Transitional Ag be on the map. The Commission knows it does not want Conservancy Land. Initial conversation supported including both Exclusive Ag and Transitional Ag, but following extensive discussion it was decided to include only Exclusive Ag. Rationale for including only Exclusive Ag included:

- There would be difficulty enforcing the district if both districts are included. The Town may not know who is participating.
- Permitted and conditional uses in Transitional Ag are significantly different than those in the overlay district. Not knowing if a farmer is governed by Transitional Ag or the overlay district would make enforcement difficult.
- The overlay district is more restrictive than Exclusive Ag, but those two districts are similar. Enforcement was not viewed as a concern.
- Not including Transitional Ag would not cause a hardship to those farmers. N. Wolosek doubts if there will be any applicants for FP based on conversations he has had with local farmers.

A new map will need to be developed. The title of the map needs to be changed to Farmland Preservation. Any shaded areas lying outside of the Town should be removed. The new FP map will only include the dark brown areas present on the draft map.

The Plan Commission needs to verify that our overlay plan does not contradict the county's FP plan.

S. Schwab offered comments regarding the draft of the Farmland Preservation Overlay Zoning District document.

- She had suggestions for changes in formatting.
- She had questions about item 4 under permitted uses that discusses farm residences. The overlay district permits a second farm related home on a forty-acre parcel, she asked about how this compares to the Town's lot averaging policy. R. Becker stated FP is more restrictive than our lot averaging policy. He said the restrictiveness was observed in the model FP ordinances. N. Wolosek stated cluster housing can be used for non-farm residence under conditional uses. Our plan does mention nonfarm residences and specifically mentions Statute 91.46(2) under conditional uses.
- She asked what meant by "associated uses" in permitted uses #15. N. Wolosek explained it is anything needed to support the game farms, fish farms, or fur farms mention in that item.
- Discussion took place regarding adding Statute 91.46(3) to Conditional Use #1 (nonfarm residences). Doing so would further protect farmland. It was decided to only cite 91.46(2) and not add 91.46(3).
- Discussion of the statute definition of farm residence and whether a farm residence is a permitted use according to the statute took place.
- State statute allows for a duplex, we only allow single family residence. Scott Karel (DATCP) has provided feedback and has never said we need to add duplexes or change the wording "single family residence". If someone under Farmland Preservation wanted a duplex, the Town would need to entertain that request.
- R. Becker stated we used the model ordinance for our wording. K. Lee added our wording is primarily based on the Exclusive Ag District.
- S. Schwab had a question about what is a "dairies processing plant" as listed under Conditional Uses #6. Examples of cheese factory and ice cream factory were provided.

N. Wolosek stated the state allows undeveloped natural resources and open space areas (s. 91.44), but the Town does not. That statute states an ordinance complies if that is a type of land is included in a plan. It does not state that type of land must be included. Our permitted uses provide more detail, but they do fall under the permitted uses identified under 91.44. We do include "lands not being actively farmed which have prime agricultural potential and which comply with the intent and use provisions of this section" (item 17). If undeveloped natural resources and open space areas must be included, item 17 should address that requirement.

The Plan Commission members approved wording of the Farmland Preservation Overlay Zoning District as stated in the previously developed draft. A date will need to be filled in under permitted uses 4b (pre-existing farm residences). This would tentatively be November 9, 2016. K. Lee will submit a public hearing notice to V. Zimmerman for placement in the newspaper for a hearing to be held on November 9<sup>th</sup>.

The Farmland Preservation Ordinance Certification Application was discussed.

- N. Wolosek had a question. Do both the Chief Elected Official and the County need to sign off on the district? Can Scott Karel (DATCP) approve it if there is not approval by the County? S. Schwab said yes, but she does not foresee any problems.

- Jeff Hartman (Portage County P&Z) stated the county has taken care of everything related to the spatial specifications of the map identified on page 2 of the instructions.
- N. Wolosek suggested adding something to the Comprehensive Plan regarding the ability of farmers in General Ag or Transitional Ag to apply for Farmland Preservation if they meet all of the requirements. It was questioned if farmer in Transitional or General Agriculture would be able to put in a cranberry bed. Currently only farmers in Exclusive Ag would be able to do so. The farmer in Transitional or General Ag would need to come before the Plan Commission to be added to Farmland Preservation and could be told to rezone.
- S. Schwab may need help with Part A. (Enclosed Materials) 3b regarding the relationship between our ordinance and the County's FP Plan from the County. R. Becker suggested explaining the Town has its own Comprehensive Plan and zoning separate from the County's. The Plan Commission has coordinated with and monitored the development of Portage County's FP plan. The County has reviewed our documents to ensure they are consistent with their plan.
- Sharon will share a draft of the application memo with the commission members.
- The County's FP map was reviewed. For our town they have included both Exclusive and Transitional Ag. We will need to contact the County to determine if their map can be revised prior to submission to reflect our desire to include only Exclusive Ag.
- Part A 3c – R. Becker suggested including that fact the Plan Commission meetings are open to the public allowing citizen input and the Commission includes a member of our agricultural community to provide us expert guidance on FP.
- Part C – We will not have a separate ordinance. It will be part of our zoning ordinance. Only our map will be part of the County's plan.
- Part C states "Check boxes are for the benefit of the applicant and not required for submission." The content identified would need to be in our ordinance, but not submitted.
- "Procedures" and "Violations & Penalties" for the district are covered by the Town's Zoning Ordinance.

S. Schwab will work on the application.

The most recent feedback from Scott Karel stated permitted uses, numbers 6, 7, 9, 11, 13, and 15 should be for the purpose of earning an income or livelihood. K. Lee will make those changes.

N. Wolosek noted that if we make any changes to the district, we need to notify DATCP by March 1 of each year because we are not part of County zoning.

### **2017 PLAN COMMISSION BUDGET NEEDS**

The Commission members are satisfied with the \$40 per diem for a meeting. It was suggested to budget for 18 meetings. It was suggested to increase the rate for hourly work to match that payed to other Town workers. It was recommended that the Board periodically consider increasing the per diem.

### **ZONING ADMINISTRATOR REPORT**

A copy of the report was distributed. A total of \$1215.00 was collected in building permits/fees. This includes fees for a pond, driveway, three new residences, a deck, a raze, two accessory buildings, two addresses, and two Utility Accommodation Permits.

### **TOWN BOARD REPORT**

- There will be a flu shot clinic at the Town Hall on Friday, October 21.
- The CUP for the Communication Tower passed. A representative from Northway Communications, Matthew Fleming, Dale Okray, and a representative from Plainfield attended. There were reassurances that our providers would not have any additional cost during the

transition. No changes were made to the CUP. We are still awaiting the building permits and the signed CUP to be submitted. There is a \$3000 fee for new towers.

- The Town is requesting an amendment to the Portage County budget. Much discussion occurred regarding the results of the recent T. of Grant vs. Portage County hearing that led to the amendment request. The budget amendment request is for the County to pay the anticipated 2017 charges for ambulance service. Charlie Gussel (our county supervisor) presented the amendment to the finance committee. The Town will need to see what occurs during the County budget approval process. The Town still can appeal the judge's decision in our court case.

#### **FUTURE MEETINGS**

- November 16, 2016 @ 6:30 pm – The agenda should include Implements of Husbandry. The Town Supervisors will be invited. We need to discuss what is not working in the policy, but not everything. Supervisor Winkler would like to engage the farmers to get assistance for maintaining the roads. He is concerned about road damage and the calls he is receiving. During Comprehensive Plan discussion, something should be added regarding the ability of farmers in General Ag or Transitional Ag to apply for Farmland Preservation.
- December 21, 2016 @ 6:30 pm

It was moved by N. Wolosek and seconded by T. Reitter to adjourn the meeting. The meeting was adjourned at 9:50 pm.

Respectfully submitted,  
Kathleen Lee, Plan Commission Secretary