

Town of Union
PLAN COMMISSION MONTHLY MEETING
Minutes of March 28, 2013

The Town of Union Plan Commission monthly meeting was called to order by Chairman Alvin Francis at 7:00 p.m. on Thursday, March 28, 2013 at the Evansville Fire Station, 425 Water St., Evansville, WI. Members in attendance included Chairman Francis, Ed Levin, Eric Larsen, Dave Pestor, and Bill Thomas. Supervisors George Franklin and Kim Gruebling, Chairman Kendall Schneider, Building Inspector Bob Fahey and Clerk Regina Ylvisaker were also in attendance.

Approve February 28, 2013 meeting minutes

None available at this time due to Clerk's computer failure.

Public comment (5 minutes max. per issue)

None.

Farmland Preservation: Do we need to hire Rock Co Planning to help revise our zoning ordinance to meet DATCP Farmland Ordinance Requirements? Review February materials presented by Rock County

There was discussion at last month's meeting about revising the Town's zoning ordinance and whether the Town was capable of doing the revision on its own, or if the County's help was necessary. A handout of costing for having the County assist was distributed at last month's meeting.

The Town of Plymouth's zoning ordinance was reviewed as a model for revision, as well as a model provided by DATCP. Eric Larsen felt that revising ourselves would be relatively simple, as the revisions appear to be minimal and simple. Both Alvin Francis and Larsen expressed concern that the County was unable to provide specific examples of what exactly in the Town's current ordinance required updating or revision to comply with the State's standards. Francis noted that in the Town of Plymouth example, some of the permitted uses in A1 districts are not currently allowed in our zoning ordinance under A1, and he questioned if Union would need to change A1 permitted uses to those allowed in Plymouth's to make the ordinance compliant.

Larsen would like to figure out what changes the Town would like to make and then ask the County if those changes would make the ordinance compliant; and if they would not, ask what more would need to be done to bring it into compliance.

Dave Pestor agreed that he did not see many differences between Plymouth's revised ordinance and Union's current ordinance; he also agreed that the biggest problem is not knowing exactly what the changes should be.

Francis stated that nothing should be put into Farmland Preservation that the Town believes will be changed in zoning within the next 15 years. He thinks the Town will need County help with developing the ordinance, but feels the Town can do some prep work ahead of time. Francis does believe that the Plan Commission will need to ask the Board for some funds for the revision, perhaps over the course of two years.

Larsen outlined the approach he felt the Commission should take: the group should decide if they want the ordinance to remain basically as is, or if any major changes should be made as part of the revision. This should be determined prior to bringing in the County. In his opinion, a major topic of discussion should be putting additional residences on property zoned A1 and how to facilitate requests, and coming to an agreement on the number of residences allowed.

Overall, the group needs to clarify if A1 and A2 zoning districts will remain separate under the Farmland Preservation designation. Larsen thinks the CUP process for non-farm residences needs to be worked out by the Plan Commission prior to the County becoming involved in the revision process. He feels that Union should be more restrictive than the 1:20 acre ratio in the example ordinance provided from Plymouth. He noted that the biggest issues the Plan Commission has faced in the time he has been on the Commission have revolved around clusters of residences that are located in farmland/agricultural areas and residents who are unhappy with the owners of the farmland using their land in a manner which may be permitted but is not acceptable to a residential setting (i.e. kennels, cell towers). This is one of the main reasons he does not want to encourage residences in agricultural areas and would like to see a higher acreage ratio when they are allowed. Larsen would like to have a clear ordinance to follow when considering land division and zoning change requests, to allow the Commission to be fair to everyone instead of trying to find ways to read the ordinance to appease every applicant.

Bob Fahey recommended bumping the minimum up from 35 to 40 acres, to avoid having to rezone both parcels once one acre is removed from a 35 acre parcel – if the 35 acre limit still applies to A2 parcels. Fahey also suggested removing the requirement that individuals living in the residences must be employed by the farm or make their living from the farm; it has always been unenforceable and will always be that way.

Agreed by all to discuss again at the April meeting the following: 1) how to approach the CUP process for non-farm residences, and 2) the number of acres required to add non-farm residences to ag zoned parcels.

Review of Telecommunications Ordinance, especially regarding requirement for alternatives analysis with application form

Francis had provided the following information in email regarding this agenda item:

As suggested by Supervisor Gruebling, I have reviewed it again and these are my points why I believe the ordinance definitely calls for an alternative analysis and why the application form should be revised to definitely ask the applicant to do it:

Tower Ordinance:

page 6: 4:00 Tech Review (by independent consultant)

(a) RF propagation study showing subject cell site and adjacent sites.

page 7: 5:00

(1) CUP Application

(1) approval of CUP subject Town Board making finding proposed site is most reasonable among the alternatives.

page 8: at the end of (1),

The Town may require professional independent review of the alternatives analysis at the applicants' expense.

page 9: 5:00

(6) (a) the proposed site and tower shall be shown to be the most reasonable.

page 12: 8:00 Structural Design

(2) no feasible alternative exists---to collocate---or construct a new tower in a different location.

page 16: 12:00

Town encourages -----facilities on Town owned properties-----

To facilitate all of the above I suggest the Communication Tower Information Form (CTIF) have the following statement added as the first of REQUIRED ATTACHMENTS, on page 4:
“An alternative analysis of all feasible alternative locations and support structures that could provide the proposed telecommunications service, including Town Property, shall be provided. It shall explain the rationale for selection of the proposed site over feasible alternatives.”

Motion made by Francis/Levin to recommend to the Board that the following statement be added to the application: “An alternative analysis of all feasible alternative locations and support structures that could provide the proposed telecommunications service, including Town Property, shall be provided. It shall explain the rationale for selection of the proposed site over feasible alternatives.”

Larsen doesn't think that all applicants will agree that the statement means that they have to look at sites that have existing structures on them vs. parcels with no structures on them. It is still not clear enough, in his opinion.

Motion withdrawn by Francis.

Agreed by all that wording should be clarified.

Motion to adjourn made by Larsen/Thomas. Meeting adjourned at 8:15 p.m.

Respectfully submitted by Clerk Regina Ylvisaker

Note: minutes are considered draft until reviewed and approved by the Plan Commission at a properly noticed meeting.