

Town of Liberty Grove
Minutes of the Plan Commission meeting on February 8, 2023

Agenda:

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Approve minutes: 1-25-23
5. Public input
6. Request to Rezone Parcel 018-02-27322843A to Countryside 10 (CS10)
7. HL10 Zoning Change: add Trade and Contractor Establishments and Auto Repair
8. Correspondence
9. Future meeting dates
10. Adjourn

Chair Nancy Goss called the meeting to order at 7:00pm. Commissioners Anne Miller, Cathy Ward, Paul Bokelmann, Cheryl Culver, Bill Surbaugh, and Dan Watts were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell, and approximately 30 members of the public.

Ward moved, Miller second to approve the agenda as posted. Carried 7-0.

Surbaugh moved, Ward second to approve the 1/25/23 minutes as presented. Carried 6-0 (Miller abstained)

Public Input – Several members of the public requested to speak specifically to agenda items.

Rezoning Request Parcel 018-02-27322843A – Jonathan Orrick noted recent commercial property sales trends and provided the history of this request which was filed one year ago. He proposes to operate a landscape yard in the center of the property and establish homes for his children on the other areas of the 40-acre parcel. He noted HL10 and CS10 are more similar than different, this would help keep young citizens in the area and CS10 would add a layer of protection because the parcels would first need to be rezoned before the CUP application. Karee Orrick outlined the 17 different uses between HL10 and CS10 identifying that all could occur as a home business in either zoning. Ann Tockstein, Wildwood Road, expressed concerns about the future if the land were rezoned and the Orricks sold the property within a residential area. Billy Appel, Old Stage Road, noted the cooperation amongst the local business owners and noted the rezoning could allow their current businesses to expand and creates an opportunity for other businesses to purchase products locally. Miller noted incorporation of the family would have officers on the property, 2 dwellings are allowed on one parcel, and salvage yards are her only immediate concern with CS10. She asked if the County would assist with the financial burden to open the Town Plan and allow CS10 zoning. Ward stated the State opened the door to STRs, the current regulating process is a reaction to this. Spot zoning is concerning especially because it would remain with the property through sales. Goss clarified that all zoning categories allow home businesses, and private air strips require a small area. She outlined the following options: 1-request rezoning to CS10, there is no CS10 zoning within the Town and the official plan does not fit rural residential character; 2-Wait for HL10 amendment to address property size and building size concerns; 3-Review home business options with an attorney. Watts noted the Town maps should be reviewed for possible inclusion of CS in the future. Kalms noted the HL10 process is likely to take 2-4 months at the County. **Ward moved Miller second** to recommend the Town Board not approve the request to rezone parcel 018-02-27322843A from HL10 to CS10. Roll call: Watts, Ward, Miller, Culver, Goss, and Bokelmann voting aye, Surbaugh voting nay. Defeated 6-1.

Heartland 10 Zoning Change – Ann Tockstein, Wildwood Road, stated that it seems excessive to make the changes for all HL10 properties. Billy Appel, Old Stage Road, stated this change would support expansion of other current small businesses. **Goss moved, Ward second** to add language to the text amendment stipulating a minimum of 10 acres for these additional uses. Discussion: The CUP process will allow for lot size confirmation and to create the balance of a business within a residential area.

Carried 7-0. Miller noted one large building is more appealing than a cluster of small ones and equipment outside. The building size could also be addressed by review of the site plan for setbacks and lot coverage. **Goss moved, Surbaugh second** to recommend the Town Board submit the HL10 Zoning Amendment with the addition of 10 acre minimum. Carried 7-0.

Correspondence – None

The next meeting will be Wednesday, February 22, 2023 at 7:00pm. The STR ordinance will be discussed.

Surbaugh moved, Goss second to adjourn at 8:47pm. Carried 7-0.

Respectfully submitted,

Anastasia Bell, Clerk/Treasurer

Approved at the 3/8/2023 Plan Commission meeting.