Town of Elba
Plan Commission Public Hearing Minutes
and Plan Commission Meeting Minutes
Tuesday, March 5, 2024

The Plan Commission Public Hearing for the Conditional Use Permit – Grothman & Associates, agent for Thomas and Margaret Agnew was called to order on Tuesday March 5, 2024, at 6:00pm. Commission Chairperson Jane Parpart, Commissioners David Roche, Thomas Lannoy, and Jerry Gaska, and Town Clerk Lori Koenig-Fry were present. Public present were Thomas and Margaret Agnew, Peter Larson, Paul Walz, Nate Pollnow, Roger Parpart, Larry Lowry, Mike Eisenga, and Heidi Johnson.

Public Comment: Chairperson Parpart opened the floor to public comment. Thomas Agnew stated that they have 4.2 acres available for development land, and they have decided that they have a couple of spots that would be better suited for building houses than planting corn.

Adjourn: Commissioner Gaska made a motion to adjourn the public hearing. Seconded by Commissioner Lannoy. All in favor. The public hearing was adjourned at 6:04pm.

The Plan Commission Public Hearing for the Conditional Use Permit – Suzanne Hoppe, agent for CMB Ventures was called to order on Tuesday March 5, 2024, at 6:05pm. Commission Chairperson Jane Parpart, Commissioners David Roche, Thomas Lannoy, and Jerry Gaska, and Town Clerk Lori Koenig-Fry were present. Public present were Thomas and Margaret Agnew, Peter Larson, Paul Walz, Nate Pollnow, Roger Parpart, Larry Lowry, Mike Eisenga, and Heidi Johnson.

Public Comment: Chairperson Parpart opened the floor to public comment. Heidi Johnson, agent for CMB Ventures, standing in for Susan Hoppe, stated that they are a Head Start program serving children from 3-5 years of age looking to use the space to run a center during the school year from September to May, full day program from 7am-5:30pm, with approximately 20 children. Chairperson Parpart questioned the permit stating that the building is connected to a public sewer. Mike Eisenga (owner of the property, the Head Start program would be in) stated that the building is not on public sewer. Commissioner Gaska noted that the application was dated 2021, asking if this has been going on for some time. Heidi Johnson stated that the application was filled out in 2021 and is not sure what happened to the application. She noted that they have been renting the space since 2021 but have not had children in the building as they would need the permit. Chairperson Parpart asked if the Head Start program has an emergency plan and transportation available. Heidi Johnson stated that there are two exits, and they would have transportation once the center is up and running. Commissioner Lannoy asked if there were plans to fence in the area around the proposed center. Heidi Johnson stated that the fence and playground equipment have already been installed. Residents Nathan Pollnow and Peter Larson spoke up and stated that they feel like this would be a good addition to the community.

Adjourn: Commissioner Gaska made a motion to adjourn the public hearing. Seconded by Commissioner Lannoy. All in favor. The public hearing was adjourned at 6:09pm.

The Plan Commission Meeting was called to order on Tuesday March 5, 2024, at 6:10pm. Commission Chairperson Jane Parpart, Commissioners David Roche, Thomas Lannoy, and Jerry Gaska, and Town Clerk Lori Koenig-Fry were present. Public present were Thomas and Margaret Agnew, Peter Larson, Paul Walz, Nate Pollnow, Roger Parpart, Larry Lowry, Mike Eisenga, and Heidi Johnson.

Adopt Agenda: Commissioner Gaska made a motion to adopt the agenda with the addition of a public comment opportunity, following the same guidelines as a town board meeting, before agenda item number 4. Seconded by Commissioner Lannoy. All in favor. Motion carried.

Conditional Use Permit Agnew: Commissioner Gaska stated that according to the density standards of Dodge County, for prime ag land, the base farm tract of the parcel in question is 207 acres (base farm tract: established in 2015 when the Town of Elba joined Dodge County Zoning), that is divided by 21, which equates to 9.9 acres. The Agnew's have already sub divided 3 lots at 1.9 acres each, for a total 5.7 acres, which leaves 4.2 acres available for non-farm residential use. The request is asking for 1.9 acres in a prime ag district. Commissioner Gaska stated that the request for the 1.9 acres meets all the requirements within the Town of Elba and Dodge County, and he recommends approval of the conditional use permit. Chairperson Parpart and Commissioner Lannoy both agree. Chairperson Parpart made a motion to make an approval recommendation to the Town Board for the Conditional Use Permit request from Grothman & Associates, agent for Thomas and Margaret Agnew to allow for the creation of an approximate 1.9-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the SE ¼ of the NE ¼, Section 15, Town of Elba among the north side of County Road T approximately 400 feet east of its intersection with the SOO Line Railroad. Seconded by Commissioner Gaska. All in favor. Motion carried.

Rezone Agnew: Commissioner Gaska stated that there are two aspects to review in the rezone request. The initial is the land division, Agnew's have 2.3 acres available to develop based on the previous Conditional Use Permit request. The second factor to take into consideration is the zoning district, the Dodge County zoning states that there can not be more than 4 dwelling units/ non ag residences in a prime ag zoning district (A-1). The Conditional Use Permit reviewed earlier would be the 4. Commissioner Gaska stated that the Rezone would need to be granted, unlike a Conditional Use Permit. The Town can recommend or not recommend the rezone, and Dodge County would not be able to overrule the Town unless changes are made to the request. The rezone request allows the Town of Elba to have authority. Commissioner Gaska stated that when looking at the comprehensive goals of the Town of Elba, development should be balanced, well planned, and aesthetically pleasing manner. Commissioner Gaska went on to say that the Land Division Ordinance states that when considering rezoning changes, the plan should promote orderly layout of the land, encourage the most appropriate use of the land, minimize public impact of the division of large tracts of land into smaller parcels; enforcing the goals and policies in the town comprehensive plan and conserving the soils of prime agriculture land within the town. Commissioner Gaska stated that the plan commission should make a recommendation of denial of the rezone request because, it does not meet the Town of Elba Comprehensive Plan and it exceeds the density requirements for the Township. Commissioner Gaska does feel that growth in the Town of Elba is important, but it needs to be done in a more organized manner and needs to be regulated when it affects prime ag land. Commissioner Roche and Commissioner Lannoy agreed with the recommendations of Commissioner Gaska. Commissioner Gaska made a motion to recommend denial to the Town Board for the rezone request from Grothman & Associates, agent for Thomas and Margaret Agnew to allow for the rezone of approximately 2.379 acres

of land from A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of an approximate 2.379 acre non-farm residential lot. The site is located in part of NE ¼ of the NW 1/4 , section 14, Town of Elba, along the south side of Breyer Road approximately 1200 feet west of its intersection with County Road T; as it exceeds the density standards, and it is not in agreement with the Town's Comprehensive Plan. Seconded by Commissioner Roche. All in favor. Motion Carried.

Conditional Use Permit CMB Ventures: Commissioner Gaska stated that the land is zoned C-2, extensive commercial, an acceptable use with a conditional use permit is a general daycare facility, with 7 or more children for less than 24 hours per day. Commissioner Gaska stated that the request falls within the zoning with a conditional use permit so he would recommend an approval recommendation. Commissioner Gaska made a motion to make an approval recommendation to the Town Board for the Conditional Use Permit request from Suzanne Hoppe, agent for CMB Ventures to allow for the establishment of a Head Start Day Car Facility within Suite #2 of the existing building on this site, located in part of the SW ¼ of the NE ¼, Section 7, Town of Elba, the site address being N4365 State Road 73. Seconded by Commissioner Roche. All in favor. Motion Carried.

Adjourn: Commissioner Gaska made a motion to adjourn the planning commission meeting. Seconded by Commissioner Lannoy. All in favor. The meeting was adjourned at 6:31pm.

Jane Parpart, Chairperson

Jerry Gaska, Commissioner

David Roche, Commissioner

Thomas Lannoy, Commissioner