PLAN COMMISSION MEETING MINUTES
of AUGUST 5, 2024 at 7 PM

Members Present: Mike Calewarts, Keith Brunner, Bill Krueger, Francis Rabas, Kathy Janssen, Melissa Trepanier, Peter Dewar, Bill Hafs, Zoning Administrator, Michelle Wallerius, Clerk. Alex Sickel, Attorney for the Town.

Meeting called to order by Bill Krueger at 7:00 p.m.

1. Approve Minutes of May 29, 2024: Motion by Mike Calewarts and seconded by Francis Rabas to approve Minutes of May 29, 2024. MC
2. Rezoning request from Phil Petersen to rezone ND-450 (42.58 acres) and ND-449 (38.38 acres) from Ag-1 to Ag-FP for purposes of enrolling these parcels into the Farmland Preservation Program. These parcels are located on Maribel Road. Bill Hafs states the land is adjacent to other Farmland Preservation parcels. Melissa Trepanier questions if the parcels are not zoned AG-FP it cannot be enrolled without a rezone? That is correct. Property contained a large area of conservancy so it was not included in previous AG-FP zoning. These parcels are consistent with the Comprehensive Plan. Motion by Mike Calewarts and seconded by Keith Brunner to approve the rezone to AG-FP. MC 7-0
3. Rezoning request from Kurt Schwiesow to rezone approximately 10 acres from parcel ND-303 from Ag-1 to Ag-R for the purposes of establishing a personal residence due to the construction of a new residential home. This property is located at 5480 Maribel Road, Denmark. Property owner looking to remove home site from LLC and place in personal name. Bill Hafs states parcel currently conforms to AG-1 zoning as it is and would also conform with this new zoning request. Property contains 310 feet of frontage with 10.01 acres and the old barns would remain with the larger parcel. Mike Calewarts inquires if the landowner is aware they cannot build a second home on the remaining parcel. Yes, they are aware. Motion by Mike Calewarts and seconded by Peter Dewar to approve rezoning. MC 7-0
4. Discussion to add solar array ordinance for residential use versus commercial use to ensure preservation of agriculture properties. Review of draft ordinance. Breaks down solar into three categories. Personal / residential use – under 30 mega watt, over 30 – but under 100 mega watt as mid-size; and large scale solar as over 100 mega watts. State has complete purview of large-scale solar generation. Small residential use would be submitted with standard informational building permit application and would be considered accessory use with setbacks applicable. Recommendation to change set back for mid-size solar to 25 feet for setback and 50 from roadway with the need for conditional use permit to address any other specifics. This could include decommission of array or performance bonds. Pete Dewar appreciates the thorough and completeness of the ordinance, which outlines specific requirements. Feels this provides guidelines and outlines expectations. Mike Calewarts inquires if escrow is needed for decommissioning.

That can be part of the CUP when it is being considered. Keith Brunner, Kathy Janssen, Melissa Trepanier agree. Motion by Melissa Trepanier to recommend proposed solar ordinance with revision to setback requirement to 25 feet. Seconded by Keith Brunner. MC 7-0. Proposed ordinance to be referred to Town Board for August meeting and public hearing would be required.

5. Any other business of the Commission may deem appropriate. No further business.

Motion by Mike Calewarts and seconded by Keith Brunner to adjourn at 7:45 pm.